

**EXHIBIT 37**

Page 1

1 IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY

2 MONIQUE RUSSELL, et al. :

3 Plaintiffs : Case No.:

4 Vs. : CAL17-22761

5 DIMENSIONS HEALTH CORP., : CAL17-37091

6 et al. : CAL18-07863

7 Defendants :

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10 Deposition of DESIRE N. EVANS, was taken

11 via videotape on Thursday, March 28, 2019,

12 commencing at 10:04 a.m., at Schochor, Federico &

13 Staton, P.A., The Paulton, 1211 St. Paul Street,

14 Baltimore, Maryland, before MICHELE D. LAMBIE,

15 Notary Public.

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21 Reported By: Michele D. Lambie, CSR-RPR

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1 APPEARANCES:		1 PROCEEDINGS	
2 ON BEHALF OF THE PLAINTIFFS:		2 (Whereupon, Evans Deposition Exhibit 1,	
3 Schochor, Federico & Staton, P.A.		3 Answers to Interrogatories, marked for	
4 TARA CLARY, ESQUIRE		4 identification.)	
5 tclary@sfspa.com		5 THE VIDEOGRAPHER: Good morning. We are	
6 The Paulton		6 now on the record at 10:04 a.m., March 28, 2019.	
7 1211 St. Paul Street		7 This is media unit number one in the	
8 Baltimore, Maryland 21202		8 video-recorded deposition of Desire Evans taken in	
9 (410) 234-1000		9 the matter of Monique Russell, et al v. Dimensions	
10		10 Health Corp., et al. filed in the Circuit Court for	
11 ON BEHALF OF THE DEFENDANTS:		11 Prince George's County, Case Numbers CAL17-22761,	
12 Pessin Katz Law, P.A.		12 CAL17-37091, and CAL 18-07863.	
13 BRIAN M. CATHELL, ESQUIRE		13 This deposition is being held at the	
14 bcathell@pklaw.com		14 office of Schochor, Federico and Staton located at	
15 901 Dulaney Valley Road, Suite 400		15 1211 St. Paul Street, Baltimore, Maryland.	
16 Towson, Maryland 21204		16 My name is Sam Varipapa on behalf of	
17 (410) 938-8800		17 Veritext, and I'm today's videographer. The court	
18		18 reporter is Michele Lambie, also on behalf of	
19		19 Veritext.	
20 ALSO PRESENT: Sam Varipapa - Videographer		20 At this time, will Counsel now state	
21		21 their appearances and affiliations for the record	
	Page 3		Page 5
1 EXAMINATION INDEX		1 beginning with the party that noticed this	
2		2 proceeding?	
3 WITNESS: DESIRE N. EVANS	PAGE	3 MR. CATHELL: Brian Cathell on behalf of	
4 DIRECT BY MR. CATHELL	5	4 the Defendants.	
5 CROSS BY MS. CLARY	122	5 MS. CLARY: Tara Clary on behalf of the	
6 REDIRECT BY MR. CATHELL	124	6 Plaintiff.	
7 EXHIBIT INDEX		7 THE VIDEOGRAPHER: Michele, would you	
8 (Attached to Transcript.)		8 administer oath?	
9 MARKED		9 DESIRE N. EVANS	
10 DESIRE N. EVANS		10 the Deponent, called for examination by the	
11 Exhibit 1 Answers to Interrogatories	4	11 Defendants, being first duly sworn to tell the	
12 Exhibit 2 Consent Form	85	12 truth, the whole truth, and nothing but the truth,	
13		13 testified as follows:	
14		14 DIRECT EXAMINATION	
15		15 BY MR. CATHELL:	
16		16 Q. Good morning, Ms. Evans. I introduced	
17		17 myself off the -- off the record. My name is	
18		18 Brian. Have you given a deposition before today?	
19		19 A. No, sir.	
20		20 Q. Okay. So, just a few ground rules. The	
21		21 first is if you feed a break today for any reason	

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1 or no reason, that is okay, and you can just let us 2 know. We're happy to take a break for you to go to 3 the bathroom, to get more water, or just to get 4 some fresh air, okay? So, we're not holding you 5 hostage, all right?	1 A. Desire Nicole Evans. 2 Q. And what is your current address? 3 A. 4057 Parker Court, Waldorf, Maryland 4 20602.
6 A. Okay.	5 Q. And how long have you lived at that 6 address?
7 Q. The second is she is taking down 8 everything that we say, and she can't take down 9 non-verbal responses, such as head nods or um-hums 10 or huh-uhs, things like that, so the responses 11 should be yes, no, I don't know, or another verbal 12 response, --	7 A. About one year. 8 Q. And what is your date of birth? 9 A. March 25th, 1979.
13 A. Okay.	10 Q. And have you gone by any other names or 11 aliases?
14 Q. -- is that fair?	12 A. No, sir.
15 A. Yes.	13 Q. And it's my understanding that you are 14 married?
16 Q. Okay. If I ask you a question that you 17 don't understand, which is entirely possible, 18 please let me know, and I am happy to rephrase it 19 as many times as I need to so that you can 20 understand it, okay?	15 A. Yes, and this is actually my married 16 name. Sorry.
21 A. Yes.	17 Q. Okay. That's all right. Prior to being 18 married, what was your maiden name? 19 A. Clifton.
	20 Q. And how many times have you been married? 21 A. Once.
Page 7	Page 9
1 Q. If we're talking about times or a 2 situation that is confusing, please let me know 3 that, because I don't want you to answer questions 4 that you don't fully understand, and I'm happy to 5 clarify to the best -- to the extent that I can to 6 get the specific question out that you understand 7 so that you can provide an answer, okay?	1 Q. And on what date were you married to 2 Mr. Evans?
8 A. Yes.	3 A. December 31st, 2015.
9 Q. Lastly, I know that we are going to be 10 talking about some sensitive topics today, and I 11 assure you it's not my goal, it's not my intent, 12 and I don't take any pleasure in asking you about 13 those things.	4 Q. And you've remained married and living in 5 the same home since that time?
14 This is our opportunity to explore class 15 certification, and so there are certain issues 16 that -- in -- in our investigation that I need to 17 explore with you, --	6 A. Yes.
18 A. Okay.	7 Q. Okay. How many children do you have?
19 Q. -- okay?	8 A. One.
20 A. Yes.	9 Q. And what is the child's name?
21 Q. Okay. And what is your full name?	10 A. Peyton.
	11 Q. With an A or an E?
	12 A. E.
	13 Q. And I assume Peyton was born in March of 14 2016?
	15 A. Yes. March 17th, 2016.
	16 Q. And is Peyton a healthy child?
	17 A. Yes.
	18 Q. And has Peyton lived with you since his 19 birth on March 17th, --
	20 A. Yes.
	21 Q. -- 2016?

<p style="text-align: right;">Page 10</p> <p>1 A. Yes.</p> <p>2 Q. So, living in your home is, it's you,</p> <p>3 Peyton, and Mr. Evans, correct?</p> <p>4 A. And Piper, our dog.</p> <p>5 Q. Okay. Dogs count nowadays.</p> <p>6 MS. CLARY: Absolutely.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. And at the time you became involved with</p> <p>9 Dr. Akoda, and we're going to explore that in depth</p> <p>10 in a few minutes, but in December of 2015, who was</p> <p>11 living in your home?</p> <p>12 A. It was my husband and I.</p> <p>13 Q. Okay. And you worked with your attorneys</p> <p>14 in this case to provide information or to draft</p> <p>15 Answers to Interrogatories, do you recall doing</p> <p>16 that?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And I have a copy of your signed</p> <p>19 Answers to Interrogatories, which include, among</p> <p>20 other information, a, a list of your residential</p> <p>21 history, so I'm going to show you that. I'll ask</p>	<p style="text-align: right;">Page 12</p> <p>1 MS. CLARY: Sure.</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. Do you hold any degrees or</p> <p>4 certifications?</p> <p>5 A. No, not currently.</p> <p>6 Q. And what is your highest level of</p> <p>7 education?</p> <p>8 A. I graduated high school, and I'm</p> <p>9 currently in college now.</p> <p>10 Q. And what year did you graduate high</p> <p>11 school?</p> <p>12 A. '97.</p> <p>13 Q. Okay. And where are you in college?</p> <p>14 A. Strayer University.</p> <p>15 Q. And what are you studying?</p> <p>16 A. Cyber security.</p> <p>17 Q. We might need to retain you. Our firm</p> <p>18 was just attacked by ransom-ware.</p> <p>19 MS. CLARY: I heard this. You were off</p> <p>20 line for a week. Was it like bliss or hell?</p> <p>21 MR. CATHELL: It was terrible.</p>
<p style="text-align: right;">Page 11</p> <p>1 you if you signed the document, and then if you'll</p> <p>2 just look at answer to Interrogatory Number 1, that</p> <p>3 will save me the time of having to go through each</p> <p>4 place that you lived, --</p> <p>5 A. Um-hum.</p> <p>6 Q. -- is that fair?</p> <p>7 A. Yes.</p> <p>8 MS. CLARY: Do you want the first</p> <p>9 signature?</p> <p>10 MR. CATHELL: The second. The last page,</p> <p>11 please, or it may be the third.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. Is that your signature?</p> <p>14 A. Yes.</p> <p>15 Q. And reviewing answer to Interrogatory</p> <p>16 Number 1, is your residential history accurate as</p> <p>17 you sit here today?</p> <p>18 A. Yes.</p> <p>19 MS. CLARY: Do you want her to keep this?</p> <p>20 MR. CATHELL: Sure. We'll get back to</p> <p>21 that.</p>	<p style="text-align: right;">Page 13</p> <p>1 MS. CLARY: Okay.</p> <p>2 MR. CATHELL: No phones, no email.</p> <p>3 THE WITNESS: Wow.</p> <p>4 MS. CLARY: I would have called that</p> <p>5 bliss, but, you know, the other side of the table</p> <p>6 here.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. Are you currently employed?</p> <p>9 A. Yes.</p> <p>10 Q. And where are you employed?</p> <p>11 A. Blue Cross Blue Shield.</p> <p>12 Q. When do you -- when do you anticipate</p> <p>13 receiving a degree from Strayer University?</p> <p>14 A. I should have my -- I won't have my</p> <p>15 degree until 2021, but my first certification I'll</p> <p>16 have in December.</p> <p>17 Q. And is -- are you working to obtain a</p> <p>18 bachelor's --</p> <p>19 A. Yes.</p> <p>20 Q. -- or -- okay. Bachelor's of Science?</p> <p>21 A. Yes, sir.</p>

<p style="text-align: right;">Page 14</p> <p>1 Q. And what certification will you get in 2 December?</p> <p>3 A. My Comptiaa. C-O-M-P-T-I-A-A.</p> <p>4 Q. And is that a cyber security 5 related --</p> <p>6 A. Yes.</p> <p>7 Q. -- certification? Good for you. In your 8 Answers to Interrogatories -- we're going to just 9 briefly talk about your employment history.</p> <p>10 I believe in Interrogatory Number 16, if 11 you'll look, you listed out your past employment 12 positions?</p> <p>13 A. That would be page 16? Is that what that 14 means, Number 16?</p> <p>15 Q. Yeah. And I just realized I marked my 16 copy, so let me mark this copy. That might 17 be --</p> <p>18 A. Oh, I see it. I see, Number 16.</p> <p>19 MS. CLARY: You got it?</p> <p>20 THE WITNESS: Um-hum.</p> <p>21 MR. CATHELL: Let me switch the copies.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. And since 2015, have you missed any 2 significant period of time from work for any 3 reason, other than a vacation?</p> <p>4 A. Yes.</p> <p>5 Q. Okay.</p> <p>6 A. Currently, Sundays, since -- since this 7 has happened, I've been on FMLA. I have 24 hours a 8 week to where I can, I guess, call out or if I have 9 to go to the doctors or I have a video appointment 10 with my doctors or whatever the case may be, so 11 I've missed a significant amount of work in the 12 past year and a half.</p> <p>13 Q. Okay. Let's -- let's explore that more 14 when I -- when we get --</p> <p>15 A. Okay.</p> <p>16 Q. -- determine specific dates of -- of when 17 you learned about certain things.</p> <p>18 A. Um-hum.</p> <p>19 Q. And I promise, I'll come back to it.</p> <p>20 Other than the FMLA --</p> <p>21 A. No.</p>
<p style="text-align: right;">Page 15</p> <p>1 (Document tendered.)</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. Thank you.</p> <p>4 A. Yes, sir.</p> <p>5 Q. Is your employment history as listed 6 accurate as you sit here today?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. You've been with CareFirst Blue 9 Cross Blue Shield since 2015, correct?</p> <p>10 A. Yes.</p> <p>11 Q. And you're a senior customer service 12 advisor?</p> <p>13 A. Yes.</p> <p>14 Q. Briefly describe for me your roles and 15 responsibilities there, please.</p> <p>16 A. I deal with customer issues, customer 17 complaints, benefit questions, resolving issues, or 18 escalation of iss- -- issues, and that's about it.</p> <p>19 Q. And have you been full time there since 20 2015?</p> <p>21 A. Yes.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. -- time off, have you missed any 2 significant time for work -- from work for any 3 reason, other than a vacation?</p> <p>4 A. Well, having my child. Does that count?</p> <p>5 Q. Fair enough.</p> <p>6 A. Okay.</p> <p>7 Q. Other than a child or FMLA?</p> <p>8 A. No.</p> <p>9 Q. And you said you have 24 hours per week.</p> <p>10 Does that mean you're working 24 hours per 11 week, --</p> <p>12 A. No.</p> <p>13 Q. -- or you're missing 24 hours a week?</p> <p>14 A. I'm missing 24 hours a week.</p> <p>15 Q. Okay. And is that 24 hours per week that 16 you're missing reimbursed to you through FMLA?</p> <p>17 A. No.</p> <p>18 Q. Is FMLA permitting you to miss 24 hours 19 per week?</p> <p>20 A. Yes. If I have PTO, I can use that, but 21 I don't have -- you don't get paid for FMLA.</p>

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<p>1 Q. Have you -- have you used PTO to satisfy 2 the 24 hours per week that you're missing?</p> <p>3 A. Sometimes, if I have it available.</p> <p>4 Q. Here today, do you have any PTO 5 available?</p> <p>6 A. No.</p> <p>7 Q. When will you next have PTO available?</p> <p>8 A. January 1st of 2020.</p> <p>9 Q. So, in January of each year, you're given 10 a, a certain amount of PTO time; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. In 2019, you were given a certain amount 13 of PTO time; is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. And is it your testimony that you have 16 used your yearly allotment of PTO for 2019?</p> <p>17 A. Yes.</p> <p>18 Q. And how many hours or days, however it's 19 broken down, were you given in January of 2019 in 20 PTO?</p> <p>21 A. One hundred and 20 hours.</p>	Page 19	<p>1 MS. CLARY: I'm just going to object to 2 the extent I'm not sure it's an either/or. I don't 3 want to make a speaking objection, but PTO, if 4 accrued, may be used sporadically, and FMLA is 5 used -- being used FMLA.</p> <p>6 So, I'm assuming you're asking her when 7 she first started to need to use FMLA for the first 8 time?</p> <p>9 MR. CATHELL: Let me back up. I 10 appreciate the clarification.</p> <p>11 BY MR. CATHELL:</p> <p>12 Q. When did you first -- let's explore that 13 in a little bit when I -- when I bring in some 14 different timelines, okay? I'll come back to it.</p> <p>15 Prior to CareFirst Blue Cross Blue 16 Shield, you were employed with Arbitron --</p> <p>17 A. Um-hum.</p> <p>18 Q. -- correct?</p> <p>19 A. Yes.</p> <p>20 Q. As a customer service interviewer?</p> <p>21 A. Yes.</p>	Page 21
<p>1 Q. So, that's approximately 15 workdays?</p> <p>2 A. (Nodding head yes.)</p> <p>3 THE COURT REPORTER: You have to answer 4 out loud.</p> <p>5 MS. CLARY: You have to answer.</p> <p>6 THE WITNESS: I'm sorry. Yes. I'm sorry 7 about that, ma'am.</p> <p>8 MS. CLARY: You're doing fine.</p> <p>9 THE WITNESS: Yes.</p> <p>10 MS. CLARY: Everybody does it. You just 11 have to answer verbally so that when we look at the 12 transcript later, we don't see um-hum and huh-uh 13 and wonder what you meant.</p> <p>14 THE WITNESS: What, okay.</p> <p>15 BY MR. CATHELL:</p> <p>16 Q. Prior to using -- well, I don't want to 17 get into yet specifically when you learned about 18 the allegations surrounding Dr. Akoda, because I 19 want to explore those fully, but how long have you 20 been using FMLA to support you in taking off the 24 21 hours per week?</p>		<p>1 Q. And what were your roles and 2 responsibilities there?</p> <p>3 A. Making outbound calls to -- for Neilson 4 Ratings.</p> <p>5 Q. Okay. And do you remember which month 6 you left Arbitron in 2015?</p> <p>7 A. September.</p> <p>8 Q. And why did you leave Arbitron?</p> <p>9 A. They closed.</p> <p>10 Q. The company closed?</p> <p>11 A. Yeah. Nielsen bought it out.</p> <p>12 Q. And do you remember when you started with 13 CareFirst Blue Cross Blue Shield?</p> <p>14 A. June of 2015.</p> <p>15 Q. So, while you -- so, there was a period 16 of time where you were working for both Arbitron 17 and CareFirst Blue Cross Blue Shield?</p> <p>18 A. Correct. We were aware that Arbitron was 19 closing ahead of time.</p> <p>20 Q. Prior to Arbitron, you were employed with 21 HealthStream Research as a medical interviewer?</p>	

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1 A. Correct.		1 mentally, or emotionally in any way by any other	
2 Q. And what were your roles and		2 person at any time?	
3 responsibilities there?		3 A. No.	
4 A. Outbound calls, conducting healthcare		4 Q. Have you ever been hospitalized, other	
5 surveys for local hospitals.		5 than to deliver a child?	
6 Q. And do you recall which hospitals you		6 A. No.	
7 were calling on behalf of?		7 Q. Have you ever been diagnosed with a	
8 A. It was several.		8 condition that affects or limits your activities in	
9 Q. Do you recall the names of the hospitals?		9 any way?	
10 A. No.		10 A. No.	
11 Q. And why did you leave HealthStream		11 Q. Have you ever been diagnosed with a	
12 Research?		12 men- -- a mental illness of any kind at any time in	
13 A. I don't -- I don't recall.		13 your life?	
14 Q. So, I ask this question to everyone, so		14 A. No.	
15 it's not directed to you specifically. Have you		15 Q. Have you taken any medications at any	
16 since your 18th birthday, while represented by		16 time in your life for mental illness of any kind?	
17 counsel, ever pleaded guilty to or been convicted		17 A. Does that count now? Current?	
18 of any crime, other than a minor traffic violation?		18 MS. CLARY: At any time.	
19 A. No.		19 THE WITNESS: Yes.	
20 MS. CLARY: Objection, but you can		20 BY MR. CATHELL:	
21 answer.		21 Q. Correct.	
	Page 23		Page 25
1 THE WITNESS: Oh, sorry.		1 A. Yes.	
2 MS. CLARY: That's okay.		2 Q. Okay. And which medications have you	
3 BY MR. CATHELL:		3 taken?	
4 Q. Have you ever been a plaintiff or a		4 A. Express -- Expressor -- Effexor.	
5 defendant in any other lawsuit?		5 Effexor. Effexor, Ativan, Trazodone, Prozac. I	
6 A. No.		6 think that's it. I think.	
7 Q. Have you ever made a claim for injury		7 Q. Okay. And are you currently taking all	
8 against any individual, business, or other entity?		8 four of those medications at the current time?	
9 A. No.		9 A. Everything except for the Prozac, yes.	
10 Q. Have you ever made a claim or complaint		10 Q. Okay. So, you're taking Afexa, Ativan,	
11 of any kind against a healthcare provider, other		11 and Trazodone at the current time?	
12 than the current lawsuit?		12 A. Yes.	
13 A. No.		13 Q. And --	
14 Q. Have you ever made a Workers'		14 MS. CLARY: I think it's Effexor.	
15 Compensation claim?		15 THE WITNESS: Effexor. Yes, I'm sorry.	
16 A. No.		16 BY MR. CATHELL:	
17 Q. Have you ever suffered physical,		17 Q. Effexor. How long have you been taking	
18 emotional, or sexual abuse of any kind by any		18 these med- -- those three medications?	
19 person at any time in your life?		19 A. I've been taking those three	
20 A. No.		20 medications -- one moment. Feb -- February of	
21 Q. Have you ever been injured physically,		21 200- -- I don't remember if it was '17 or '18. Can	

<p style="text-align: right;">Page 26</p> <p>1 you -- is that in my answer?</p> <p>2 MS. CLARY: It may or may not be. If you</p> <p>3 know, you can answer.</p> <p>4 THE WITNESS: Okay.</p> <p>5 MS. CLARY: If you don't know, tell him</p> <p>6 you don't know.</p> <p>7 THE WITNESS: I don't remember.</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. And you also mentioned that you had taken</p> <p>10 Prozac in the past, correct?</p> <p>11 A. Yes.</p> <p>12 Q. And when did you take Prozac?</p> <p>13 A. Well, Prozac, I was -- I was prescribed</p> <p>14 Prozac, along with the Trazodone and the Ativan, at</p> <p>15 first, and then they switched it to Effexor. So,</p> <p>16 it's been around the same amount of time I've been</p> <p>17 taking all of them. They just switched my</p> <p>18 medications to something else.</p> <p>19 Q. Okay. And who prescribed those</p> <p>20 medications?</p> <p>21 A. My first -- the first one was Shanda</p>	<p style="text-align: right;">Page 28</p> <p>1 the name one more time so I can at least write it</p> <p>2 down so I can ask you questions?</p> <p>3 A. Igim -- Igemino. Igemino. I don't</p> <p>4 know. Igemial Nanamuju -- Nanmiju. I literally</p> <p>5 had to call Mr. Ceryes back yesterday with the</p> <p>6 spelling of her name because I couldn't pronounce</p> <p>7 it.</p> <p>8 Q. All right. So, first, you were seeing</p> <p>9 Dr. Smith?</p> <p>10 A. Yes.</p> <p>11 Q. And it's my understanding Dr. Smith is a</p> <p>12 psychiatrist --</p> <p>13 A. Yes.</p> <p>14 Q. -- with Kaiser Permanente'?</p> <p>15 A. Yes.</p> <p>16 Q. And from what -- what time period were</p> <p>17 you seeing Dr. Smith?</p> <p>18 A. From February of -- I want to say</p> <p>19 February of '18 to June of '18 or July of '18.</p> <p>20 Q. February of 2018 to July of 2018?</p> <p>21 A. Yeah.</p>
<p style="text-align: right;">Page 27</p> <p>1 Smith at Kaiser, and then now I'm seeing Elumi</p> <p>2 Neuwamini (sic).</p> <p>3 Q. All right. That one is definitely going</p> <p>4 to need to be spelled. Do you know how to spell</p> <p>5 it?</p> <p>6 A. I don't. I sent it -- I sent it to you</p> <p>7 all yesterday, the name.</p> <p>8 MS. CLARY: I will -- I'm going to look</p> <p>9 it up.</p> <p>10 THE WITNESS: I'm sorry.</p> <p>11 MS. CLARY: No.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. So, in your answers -- and I'm happy to</p> <p>14 show them to you, --</p> <p>15 A. Um-hum.</p> <p>16 Q. -- you're -- the last physician or</p> <p>17 medical provider you report seeing was Shanda</p> <p>18 Smith.</p> <p>19 A. Correct.</p> <p>20 Q. So, I don't believe the last individual</p> <p>21 that you mentioned is -- is listed. Can you say</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. And --</p> <p>2 A. Wait. I don't remember when</p> <p>3 I -- when I stopped seeing her. My husband -- we</p> <p>4 had to switch insurances, so I had to get another</p> <p>5 doctor. But we switched insurances in October, so</p> <p>6 I'm thinking it was more October of '18.</p> <p>7 Q. And when you stopped seeing Dr. Smith in</p> <p>8 October of '18, is that when you went to see</p> <p>9 Dr. Namamichu?</p> <p>10 A. Yes.</p> <p>11 Q. Is Dr. Namamichu also a psychiatrist?</p> <p>12 A. Yes.</p> <p>13 Q. And have you continuously seen</p> <p>14 Dr. Namamichu since October of 2018?</p> <p>15 A. Yes.</p> <p>16 Q. And when you were seeing Dr. Smith</p> <p>17 starting in February of 2018, were you seeing her</p> <p>18 continuously until October of 2018?</p> <p>19 A. Yeah. Well, not seeing -- we -- we have</p> <p>20 video calls or phone calls, yes.</p> <p>21 Q. And how often would you see Dr. Smith?</p>

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1 A. On an as-needed basis, but usually 2 scheduled about twice a week. 3 Q. And were those by weekly video 4 conference? 5 A. No. We video conferenced every time, 6 except for the first consultation. 7 Q. So, you saw Dr. Smith in the office one 8 time, and then the remainder of the interactions 9 were by video conference, -- 10 A. Yes. 11 Q. -- correct? 12 A. Yes. 13 Q. Did you see Dr. Namamichu in his office 14 at any time? 15 A. Yes. I saw her in the office. 16 Q. It is a her? 17 A. Um-hum. 18 Q. I'm sorry. 19 A. That's okay. 20 Q. And how often have you been seeing 21 Dr. Namamichu?	1 MR. CATHELL: Sure. 2 MS. CLARY: Dr. Nnamani. 3 THE WITNESS: Nnamani. 4 MS. CLARY: The first name is 5 I-G-E-O-M-A, last name is N-N-A-M-A-N-I. 6 MR. CATHELL: Okay. 7 MS. CLARY: Igeoma Nnamani -- excuse me, 8 Nnamani. 9 MR. CATHELL: Nnamani? 10 MS. CLARY: Yes. I have mad skills. 11 You're welcome. 12 MR. CATHELL: Thank you very much. 13 BY MR. CATHELL: 14 Q. We can agree that -- that the 15 psychologist -- the psychiatrist I've been 16 referring to as Dr. Namamichu is Dr. Nnamani, 17 correct? 18 A. Yes. Namamichu, yes. 19 Q. You've been seeing psychologist 20 Dr. -- strike that. 21 You've been seeing Psychologist Donato
Page 31	Page 33
1 A. I only see her for medication 2 maintenance, so it's a phone interview once a 3 month. 4 Q. And how did you find Dr. Namamichu? 5 A. Through my -- my goodness. What's the 6 other name of that person that's not a 7 psychiatrist? The one that can't prescribe 8 medicine. 9 Q. A psychologist? 10 A. A psychologist. Through my psychologist. 11 I couldn't think of it. 12 Q. Okay. And who is your psychologist? 13 A. Paul Donato. 14 Q. Do you know how to spell his last name? 15 A. D-O-N-A-T-O, I'm assuming. 16 Q. And how long have you been seeing 17 Psychiatrist Donato or Psychologist Donato? 18 A. Since about March -- no, no, no. June of 19 '18. 20 MS. CLARY: I have a name and a spelling. 21 Do you want me to jump in with it?	1 since June of 2018, correct? 2 A. Yes. 3 Q. And do you currently see Mr. Donato? 4 A. Not in the office, but we converse; yeah. 5 Q. And how often do you receive treatment 6 from Mr. Donato? 7 A. Also on an as-needed basis, but scheduled 8 twice a week. 9 Q. Are those video conferences? 10 A. Just phone conferences. He doesn't have 11 video. He's kind of old schooled. 12 Q. Does Dr. Nnamani participate in video or 13 telephone conferences with you? 14 A. Telephone, yes. 15 Q. And how often do you speak to 16 Dr. -- speak or see on video Dr. Nnamani? 17 A. Once a month for medication maintenance. 18 Q. So, a typical week for you would have you 19 speaking to Psychologist Donato two times per week 20 on the telephone and Dr. Nnamani one time per month 21 on the telephone for medication maintenance?

	Page 34		Page 36
1 A. Yes.		1 Q. Prior to February of 2018, had you ever	
2 Q. Did I miss anything regarding the		2 been diagnosed with anxiety?	
3 treatment you're receiving for any mental illness		3 A. No.	
4 as far as providers?		4 Q. Prior to 2018, had you ever been	
5 A. No.		5 diagnosed with posttraumatic stress disorder?	
6 Q. And when Dr. Smith prescribed to you the		6 A. No.	
7 four medications, understanding you were only		7 Q. Prior to February of 2018, had you taken	
8 taking three at a time, did she make a diagnosis of		8 any medications at any time in your life for mental	
9 you at that time?		9 illness of any kind?	
10 A. Yes.		10 A. No.	
11 Q. And what was the diagnosis?		11 Q. Prior to 2018, had you felt depressed?	
12 A. The diagnosis was, or is, depression,		12 A. No.	
13 anxiety, and PTSD.		13 Q. Prior to 2018, had you ever felt	
14 Q. And in -- was it Dr. Smith who diagnosed		14 anx- -- anxious?	
15 you with those conditions?		15 A. No.	
16 A. Yes.		16 Q. Since beginning your medication regimen	
17 Q. And do you recall when she diagnosed you		17 in February of 2018, have you seen an improvement	
18 with those conditions?		18 in your depression?	
19 A. I don't. It was during her -- our first		19 A. Some days, but for the most part, no.	
20 visit.		20 Q. And can you describe for me which days	
21 Q. So, that would have been in February		21 or -- you see improvement and which days you don't?	
	Page 35		Page 37
1 2018, correct?		1 A. It's kind of hard to say which days, but	
2 A. (Nodding head yes.)		2 sometimes I wake up, and I feel like I can go on	
3 Q. Yes?		3 through my day and go to work just fine; some days	
4 A. Yes. I'm sorry. Yes.		4 I can't get out of bed at all.	
5 Q. That's okay.		5 Q. Since 200- -- since February of 2018,	
6 A. Yes.		6 have you seen an improvement in your anxiety?	
7 THE WITNESS: I'm sorry, ma'am.		7 A. No.	
8 MS. CLARY: You're doing fine.		8 Q. So, it's fair to say the medications you	
9 THE WITNESS: Okay.		9 you've been taking since February 2018 have not	
10 BY MR. CATHELL:		10 improved or reduced your anxiety, correct?	
11 Q. To your knowledge, has Dr. Nnamani		11 A. Yes.	
12 diagnosed you with either the same conditions or		12 Q. Since February 2018, when you began	
13 anything additional?		13 taking the medications you've described, have you	
14 A. Not that I'm aware of.		14 seen an improvement or reduction in the symptoms of	
15 Q. Has Dr. Nnamani recommended any		15 posttraumatic stress disorder?	
16 additional prescription medication for you?		16 A. No.	
17 A. No. She's actually the one who changed		17 Q. What is posttraumatic stress disorder, if	
18 my medication from Prozac to Effexor.		18 you know?	
19 Q. Okay. Prior to February of 2018, had you		19 MS. CLARY: Objection to the extent I	
20 ever been diagnosed with depression?		20 think it calls for psychiatric expertise, but you	
21 A. No.		21 can go ahead as best you can.	

<p style="text-align: right;">Page 38</p> <p>1 THE WITNESS: From my understanding, it's      2 a -- it's a -- it's me having -- it's me having      3 stress or -- for something that happened to me in      4 my past or anxiety or social anxiety. That's it.      5 BY MR. CATHELL:      6 Q. Did Dr. Smith ever give you her opinion      7 that your depression -- strike that.      8 Did Dr. -- Dr. Smith ever share with you      9 an opinion regarding the cause of your depression?      10 A. No.      11 Q. Did Dr. Smith ever share with you an      12 opinion regarding the cause of your anxiety?      13 A. No.      14 Q. Did Dr. Smith ever share with you her      15 opinion regarding the cause of your posttraumatic      16 stress disorder?      17 A. No.      18 Q. Is this -- is your answer to all three of      19 those questions the same for Dr. Nnamani?      20 A. Yes. Can I ask a question? Are you      21 asking me if they gave me a reason for diagnosing</p>	<p style="text-align: right;">Page 40</p> <p>1 conditions that she testified to.      2 MR. CATHELL: Right.      3 BY MR. CATHELL:      4 Q. My -- my question was, did Dr. Smith      5 share with you her opinion as to the cause of your      6 depression?      7 MS. CLARY: I'm going to object to the      8 form for the reasons I stated. You can answer as      9 best you can.      10 THE WITNESS: Okay. So, I'm still going      11 to say, no, I think.      12 BY MR. CATHELL:      13 Q. For the sake of going through the rest of      14 those, is the answer -- do your -- did Dr. Smith      15 share with you her opinion regarding the cause of      16 your anxiety?      17 MS. CLARY: Same objection. You can go      18 ahead.      19 THE WITNESS: No.      20 BY MR. CATHELL:      21 Q. Did Dr. Smith -- Smith share with you her</p>
<p style="text-align: right;">Page 39</p> <p>1 me with those things?      2 Q. So, I'm not allowed to ask you -- answer      3 your question, --      4 A. Oh.      5 Q. -- but I'm happy to rephrase it if you      6 don't understand. I'm -- it's not a trick      7 question.      8 A. Can I ask my lawyer?      9 Q. What -- what -- let me -- let me      10 ask -- kind of ask -- did you not understand the      11 question?      12 A. Well, I'm just making sure I answered it      13 correctly.      14 Q. I -- I mean --      15 MS. CLARY: If you don't ask her now, I      16 will later. So, you might want to ask her now,      17 because the word "causation or cause" can have a      18 legal significance. And, again, I'm not      19 trying -- I'm trying my very best not to make a      20 speaking objection, but I think what you're asking      21 her is, has anybody told her why she has the</p>	<p style="text-align: right;">Page 41</p> <p>1 opinion regarding the cause of your posttraumatic      2 stress disorder?      3 MS. CLARY: Same objection. You can go      4 ahead.      5 THE WITNESS: No.      6 BY MR. CATHELL:      7 Q. Did Dr. Nnamani share with you her      8 opinion regarding the cause of your depression?      9 MS. CLARY: Same objection.      10 THE WITNESS: No.      11 BY MR. CATHELL:      12 Q. Did Dr. Nnamani share with you her      13 opinion regarding the cause of your anxiety?      14 MS. CLARY: Same objection. Go ahead.      15 THE WITNESS: No.      16 MS. CLARY: Can I have a continuing      17 objection?      18 MR. CATHELL: Sure.      19 MS. CLARY: Thank you.      20 BY MR. CATHELL:      21 Q. Did Dr. Nnamani share with you her</p>

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1 opinion regarding the cause of your posttraumatic 2 stress disorder? 3 A. No. 4 Q. Have you ever been seen by a healthcare 5 specialist, other than an OB/GYN, other than 6 routine check-up care, such as mammography or 7 dermatologic screening? 8 A. No. 9 Q. Who is your primary care provider? 10 A. I don't have a primary care provider. 11 Q. When did you last have a primary care 12 provider? 13 A. Before I had my son. In 2016, I 14 guess -- 2015. 15 Q. And who was your primary care provider at 16 that time? 17 A. Dainty Jackson. 18 Q. Dainty? 19 A. (Nodding head yes.) 20 Q. Is that a female? 21 A. Yes.	1 OB/GYN? 2 A. J-A-V-A-K-A, Moore, M-O-O-R-E. 3 Q. Prior to Dr. Moore, who was serving as 4 your OB/GYN? 5 A. I went to -- I went to Moore OB/GYN, but 6 I just saw any. I didn't have a, a particular 7 OB/GYN. 8 Q. What years were -- did Dr. Moore or his 9 office serve as your OB/GYN? 10 A. I moved to Maryland in -- I think I moved 11 to Maryland in 2013, so maybe about 2014 until I 12 had my son. 13 Q. And did you have a -- have an OB/GYN 14 prior to 2014? 15 A. No. Not a regular OB/GYN, no. 16 Q. When you say not a regular OB/GYN, were 17 you seeing OB/GYNs as needed? 18 A. As needed, yeah. I wasn't going for like 19 regular check-ups or anything. 20 Q. When was the last time you saw a 21 healthcare provider of any kind?
Page 43	Page 45
1 Q. And do you know where Dr. Jackson was 2 located? 3 A. Waldorf, Maryland. I don't know the 4 exact address. 5 Q. And how long had Dr. Jackson been your 6 primary care provider? 7 A. I seen her one time. She was assigned by 8 insurance. 9 Q. Prior to seeing Dr. Jackson, did you have 10 a primary care provider? 11 A. No. 12 Q. Should I understand your answer to mean 13 you have never had a primary care provider prior to 14 seeing Dr. Jackson on the one occasion? 15 A. Correct. I didn't have insurance. 16 Q. Do you currently have an OB/GYN? 17 A. Nope. No. Sorry. 18 Q. That's all right. And when did you last 19 have an OB/GYN? 20 A. When I had my son. 21 Q. And what was the name of your last	1 A. Like physically? Like went into their 2 office? 3 Q. Yes. 4 A. September of 2018. 5 Q. And who was that? 6 A. Dr. Nnamani. October of 2018, 7 Dr. Nnamani. 8 Q. Prior to seeing Dr. Nnamani, who was the 9 healthcare provider that you saw most recently? 10 A. Shanda. 11 Q. Is that Dr. Smith? 12 A. Yes, and Dr. Donato as well. 13 Q. Other than Dr. Nnamani, Dr. Smith, and 14 Dr. Donato, have you seen any other healthcare 15 providers since your child was born in March of 16 2016? 17 A. No. 18 Q. Have you gone to any hospitals, emergency 19 departments, or urgent care centers since March of 20 2016 to receive care or treatment? 21 A. I did go to the emergency room, yes.

	Page 46		Page 48
1	Q. And when was that?		1 understanding you're taking three at the current
2	A. December, maybe.		2 time, are there any other medications that you
3	Q. Of 2018?		3 currently take that we have not discussed?
4	A. '18. Um-hum.		4 A. No.
5	Q. And what caused you to go to the		5 Q. What pharmacy or pharmacies have you
6	emergency department in December of 2018?		6 filled prescriptions at in the last three years?
7	A. I had a rup- -- ruptured cyst on my		7 A. Walmart, CVS, and Walgreens.
8	ovary.		8 Q. And are those in La Plata?
9	Q. And which hospital did you go to?		9 A. Waldorf.
10	A. Charles County. La Plata, I believe.		10 Q. All are in Waldorf?
11	Q. And I assume you were seen by healthcare		11 A. Um-hum. Yes. Sorry.
12	providers there?		12 Q. That's okay. Prior to March of
13	A. Yes.		13 2016 -- well, strike that.
14	Q. Okay. And what did those healthcare		14 I recall reading in your Answers to
15	providers do regarding the ruptured cyst on your		15 Interrogatories that you had been hospitalized in
16	ovary?		16 2015 for a slip and fall; is that corr- -- is that
17	A. Gave me antibiotics.		17 accurate?
18	Q. And did the antibiotics have their		18 A. Oh, yeah. I'm sorry.
19	intended effect and resolve the cyst?		19 Q. And you described that incident as you
20	A. Well, I'm no longer in pain. I never		20 lost your footing and fell resulting in
21	went to a follow-up appointment to find out.		21 hospital -- hospitalization for approximately one
	Page 47		Page 49
1	Q. Do you happen to recall the names of any		1 week at Washington Hospital Center, correct?
2	of the healthcare providers who saw you at the		2 A. Yes.
3	emergency department?		3 Q. And any injuries you sustained as a
4	A. No.		4 result of the slip and fall, have those since
5	Q. Have you at any time been seen by a		5 resolved?
6	primary care provider that we haven't otherwise		6 A. Yes.
7	discussed?		7 Q. So, you don't have any lingering back
8	A. No.		8 issues or bone issues?
9	Q. Other than Dr. Moore and Dr. Akoda, who		9 A. Not that I can contribute to that.
10	we're going to talk about, have you been seen by		10 That -- I mean, I'm not a medical professional, so
11	any other OGB -- OB/GYN that we have not otherwise		11 I wouldn't know why my back was hurting.
12	discussed?		12 Q. The next series of questions I'm asking
13	A. No.		13 for information just known by you or evidence that
14	Q. I know you've told me about the mental		14 you have, not information that was shared by your
15	health treatment you've been receiving. Other than		15 attorney or that has been provided by your
16	that, have you -- since your alleged involvement		16 attorney; is that fair?
17	with Dr. Akoda -- seen any healthcare provider of		17 A. Yes.
18	any kind for any issue you claim is related to your		18 Q. Okay. What evidence do you have
19	involvement with Dr. Akoda?		19 regarding Dr. Akoda's background?
20	A. No.		20 A. None.
21	Q. And the four medications we discussed,		21 Q. What evidence do you have regarding

Page 50	Page 52
1 whether Dr. Akoda was licensed in Maryland?	1 Q. Do you know what ECFMG certification
2 A. None.	2 stands for?
3 Q. What evidence -- evidence do you have	3 A. No.
4 regarding whether Dr. Akoda was licensed to	4 Q. It stands for the Educational Commission
5 practice medicine in Virginia?	5 for Foreign Medical Graduates. Were you aware that
6 A. None.	6 to be certified a foreign medical graduate takes
7 Q. What evidence do you have regarding	7 an -- an examination administered by ECFMG?
8 Dr. Akoda's training as a medical doctor?	8 A. No.
9 A. None.	9 Q. Do you know whether Dr. Akoda took such
10 Q. Do you know whether Dr. Akoda went to	10 an examination?
11 medical school?	11 A. No.
12 A. I'm not aware. I don't -- I'm not aware	12 Q. How many times he successfully passed the
13 if he went to medical school.	13 examination?
14 Q. Do you know where Dr. Akoda did his	14 A. No.
15 residency?	15 Q. Do you have any evidence regarding how
16 A. No.	16 many times Dr. Akoda took the examination?
17 Q. Do you know what a residency is?	17 A. No.
18 A. I think so. To become a -- it's like an	18 Q. Do you have any evidence regarding under
19 internship for doctors.	19 which what names Dr. Akoda took the examination?
20 Q. Do you know whether Dr. Akoda	20 A. No.
21 successfully completed a residency?	21 Q. Do you know whether Dr. Akoda was
Page 51	Page 53
1 A. No.	1 certified by ECFMG?
2 Q. Do you know if he passed all national	2 A. No.
3 examinations to complete a residency?	3 Q. Is all of the information you have
4 A. No.	4 regarding Dr. Akoda limited to that information
5 Q. Do you know whether Dr. Akoda was board	5 which has been provided to you by your counsel?
6 certified by the American Board of Obstetrics and	6 A. Yes.
7 Gynecology?	7 Q. The next series of questions, if you will
8 A. No.	8 just give your attorney time to object, I want to
9 Q. Do you know what is entailed in becoming	9 be fair.
10 board certified?	10 How did you come to be a client of
11 A. No.	11 Schochor, Federico and Staton?
12 Q. Were you aware that Dr. Akoda took	12 MS. CLARY: I'm going to object. I'm
13 written and oral examinations and passed them to	13 going to let you answer up to the point that you
14 become board certified?	14 made first contact with us.
15 A. No.	15 I assume what you're asking her is to
16 Q. What do you know about when Dr. Akoda	16 talk about how she got -- made her way here?
17 began using the name Akoda?	17 MR. CATHELL: Let me -- let me rephrase
18 A. Nothing.	18 the question.
19 Q. Do you know why Dr. Akoda began using the	19 BY MR. CATHELL:
20 name Akoda?	20 Q. What -- when was the first you learned of
21 A. No.	21 allegations surrounding Dr. Akoda?

<p style="text-align: right;">Page 54</p> <p>1 A. On the radio.</p> <p>2 Q. And do you recall when that was?</p> <p>3 A. Maybe fall of '18, but I can't be sure.</p> <p>4 Q. Do you recall which radio station you</p> <p>5 were listening to?</p> <p>6 A. 93.9.</p> <p>7 Q. And do you recall what the advertisement</p> <p>8 said?</p> <p>9 A. Not verbatim, of course, but something to</p> <p>10 the effect of, Doc -- Dr. Akoda -- if you were seen</p> <p>11 by Dr. Akoda or something to that effect.</p> <p>12 Q. If you were seen by Dr. Akoda?</p> <p>13 A. Contact -- I -- I -- I can't remember</p> <p>14 exactly.</p> <p>15 Q. And what did you do based on that</p> <p>16 advertisement?</p> <p>17 A. I discussed it with my husband, and then</p> <p>18 we contacted the lawyer's office.</p> <p>19 Q. How long between the time you heard the</p> <p>20 radio advertisement did you wait before calling the</p> <p>21 number that was on the advertisement?</p>	<p style="text-align: right;">Page 56</p> <p>1 MS. CLARY: I'm going to object to the</p> <p>2 extent I think that now is going into discussions</p> <p>3 that she would have had with counsel.</p> <p>4 So, you can answer if you have an</p> <p>5 understanding outside of any conversation you've</p> <p>6 had with anybody here at this law firm. Do you</p> <p>7 understand what -- how I'm directing you? He</p> <p>8 wants --</p> <p>9 MR. CATHELL: Let me try to ask a better</p> <p>10 question.</p> <p>11 MS. CLARY: Okay.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. Prior to making the telephone call to</p> <p>14 this law firm, --</p> <p>15 A. Um-hum.</p> <p>16 Q. -- did you have an understanding of what</p> <p>17 the lawsuit was about?</p> <p>18 A. No.</p> <p>19 Q. Is any information you have regarding</p> <p>20 what the lawsuit about -- lawsuit is about</p> <p>21 information that was provided to you by your</p>
<p style="text-align: right;">Page 55</p> <p>1 MS. CLARY: You can answer that.</p> <p>2 THE WITNESS: The next day.</p> <p>3 BY MR. CATHELL:</p> <p>4 Q. And do you recall which law firm you</p> <p>5 spoke to when you made that initial call?</p> <p>6 A. This law firm.</p> <p>7 Q. Do you recall whether the radio</p> <p>8 advertisement said anything, other than if you were</p> <p>9 a patient of Dr. Akoda, you should call this</p> <p>10 certain telephone number? In other words, did it</p> <p>11 say, state any allegations regarding Dr. Akoda?</p> <p>12 A. I really can't recall.</p> <p>13 Q. Other than the radio advertisement we've</p> <p>14 discussed, did you --</p> <p>15 A. Can I go back? It didn't say anything</p> <p>16 about allegations, because I wasn't sure. I</p> <p>17 thought that it was like for a sexual assault or</p> <p>18 something. I wasn't exactly sure what the -- the</p> <p>19 lawsuit was about.</p> <p>20 Q. When did you first become aware of what</p> <p>21 the lawsuit was about?</p>	<p style="text-align: right;">Page 57</p> <p>1 attorney as compared to information you saw on TV</p> <p>2 or the Internet?</p> <p>3 MS. CLARY: I'm going to object. Just</p> <p>4 by the way you've phrased this, it's soliciting her</p> <p>5 testifying about what information she got from us.</p> <p>6 So, I'm not sure that she can parse that out with</p> <p>7 the way that you phrased the question, so --</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. Since -- since hearing the radio</p> <p>10 advertisement, have you seen -- have you heard any</p> <p>11 other radio advertisements regarding Dr. Akoda?</p> <p>12 A. Like from other law firms? Just in</p> <p>13 general?</p> <p>14 Q. Just any radio advertisements.</p> <p>15 A. Oh, yes.</p> <p>16 Q. Okay. And what did those radio</p> <p>17 advertisements say?</p> <p>18 A. They -- a class action suit against</p> <p>19 Charles Akoda, if you saw this doctor, give us a</p> <p>20 call type situation.</p> <p>21 Q. Did any of the radio advertisements state</p>

Page 58	Page 60
1 the substance of the allegations surrounding 2 Dr. Akoda?	1 Q. Do you have any evidence that Dr. Akoda 2 lacked OB/GYN training or skills?
3 A. No.	3 A. No.
4 Q. Have you at any time seen any television 5 advertisements regarding the allegations pertaining 6 to Dr. Akoda?	4 Q. How did you become aware of Dr. Akoda as 5 an OB/GYN?
7 A. No.	6 A. He came into my room as I was about to 7 deliver my son.
8 Q. Did you at any time conduct an Internet 9 search regarding the allegations involving 10 Dr. Akoda?	8 Q. And it's my understanding from your 9 medical chart that you had been receiving prenatal 10 care from Dr. Moore; is that correct?
11 A. Yes.	11 A. Correct.
12 Q. Okay. And tell me what you did.	12 Q. And it's my understanding from your 13 medical chart, and other information, that your 14 first, and only, contact with Dr. Akoda occurred 15 immediately prior to and during the birth of your 16 child; is that correct?
13 A. Well, I -- once I found out what 14 the -- you know, what the allegations were, I 15 looked him up, and I just wanted to see what the 16 story was behind it and what his real name was.	17 A. Correct.
17 You know, I was just doing my own research on the 18 person who --	18 Q. And do you recall when you presented to 19 the Prince George's County Hospital Center to 20 deliver your child?
19 Q. And what did you discover?	21 A. On March 16th.
20 A. I didn't discover anything new that 21 wasn't -- that I didn't know already. I just	
Page 59	Page 61
1 discovered that he wasn't who he said he was when 2 he told me who he said he was -- who he was what he 3 said he was.	1 Q. When you first presented to Prince 2 George's County Hospital Center, you were seen by 3 Dr. Moore, correct?
4 Q. Anything else?	4 A. No.
5 A. No.	5 Q. If your medical records -- are you sure 6 you returned to PG County Hospital Center for 7 delivery on March 16th compared to March 14, 2016, 8 for example?
6 Q. Other than the radio advertisements that 7 we've talked about and your Internet search and any 8 communications from your attorneys, have you 9 received any additional information regarding the 10 substance of the allegations against Dr. Akoda?	9 A. Yeah.
11 A. No.	10 Q. Who was the first healthcare provider 11 that you came into contact with on March 16?
12 Q. I asked you earlier if Dr. Akoda -- if 13 you knew whether Dr. Akoda had gone to 14 medical -- medical school or residency. Do you 15 have an understanding or belief whether he had 16 gone -- undergone any medical training?	12 A. A nurse. I don't -- it was a nurse up 13 until my water broke.
17 A. No. I just assumed that if he was at the 18 hospital, he would have training.	14 THE WITNESS: I'm sorry, am I doing that 15 to your computer? I was shaking it. I'm sorry. 16 BY MR. CATHELL:
19 Q. Do you know whether Dr. Akoda was trained 20 as an OB/GYN?	17 Q. And when did you first come into contact 18 with Dr. Akoda? Immediately after your water 19 broke?
21 A. No.	20 A. About that, yes.
	21 Q. And did you know that Dr. Moore would not

<p>1 be present?</p> <p>2 A. No.</p> <p>3 Q. And describe for me your interaction with</p> <p>4 Dr. Akoda on --</p> <p>5 A. And it was 3-17 at this point.</p> <p>6 Q. March -- right, on March 17, 2016.</p> <p>7 A. He came in the room, and they set the</p> <p>8 room up for delivery. What else do you need to</p> <p>9 know? What else are you asking? I'm sorry.</p> <p>10 Q. Describe your interaction with Dr. Akoda.</p> <p>11 Tell me what happened when he came in the room</p> <p>12 and -- and the care and treatment he provided to</p> <p>13 you.</p> <p>14 A. He just said that he would be delivering</p> <p>15 my baby, that he was the doctor on call. He had</p> <p>16 been there at the hospital for 16, 18 hours at that</p> <p>17 time, and he would just be in charge of delivery.</p> <p>18 Q. Did you have an understanding as to</p> <p>19 whether Dr. Akoda and Dr. Moore had a professional</p> <p>20 relationship?</p> <p>21 A. No. My understanding was that he was</p>	<p>Page 62</p> <p>1 A. That was it. He was in and out of the</p> <p>2 room a lot up until I actually started pushing.</p> <p>3 So, he was just in and out a lot, so it really</p> <p>4 wasn't a lot of him explaining or introducing</p> <p>5 himself.</p> <p>6 Q. Okay. What happened next?</p> <p>7 A. So, then it's time for delivery. So, I</p> <p>8 was pushing. It was only -- it wasn't a nurse in</p> <p>9 the room at the time. It was just the doctor and</p> <p>10 my husband and my mom, and we were -- I'm pushing</p> <p>11 and pushing, but my son wasn't coming out. That</p> <p>12 went on for several hours. And in the process, he</p> <p>13 started -- I don't know how to say it. I don't</p> <p>14 know how to say it.</p> <p>15 MS. CLARY: Do the best you can.</p> <p>16 THE WITNESS: Just say it?</p> <p>17 MS. CLARY: Just say it.</p> <p>18 BY MR. CATHELL:</p> <p>19 Q. We're -- we're all adults here.</p> <p>20 A. I know, but it's just weird. He started</p> <p>21 like fondling with my lady parts, and my husband</p>
<p>1 there on behalf of the hospital.</p> <p>2 Q. And what led you to -- to arrive at that</p> <p>3 understanding?</p> <p>4 A. Because he had said he had already been</p> <p>5 there for hours, which means that he wasn't there</p> <p>6 for me.</p> <p>7 Q. Did you have any indication as to whether</p> <p>8 Dr. Akoda and Dr. Moore worked together?</p> <p>9 A. No.</p> <p>10 Q. Was March 17, 2016 your only interaction</p> <p>11 with Dr. Akoda?</p> <p>12 A. Yes.</p> <p>13 Q. What evidence, other than the statement</p> <p>14 you told me that Dr. Akoda made, do you have that</p> <p>15 Dr. Akoda was affiliated with the hospital?</p> <p>16 A. None. That's just my assumption when you</p> <p>17 go to a hospital.</p> <p>18 Q. I believe we left off Dr. -- when</p> <p>19 Dr. Akoda said that he would be performing your</p> <p>20 delivery. Can you tell me what happened next,</p> <p>21 please?</p>	<p>Page 63</p> <p>1 was asking him, like, why are you doing that? And</p> <p>2 he said that it was to stim- -- stimulate the baby</p> <p>3 coming out, because my son wasn't coming out.</p> <p>4 MS. CLARY: Do you need a break?</p> <p>5 THE WITNESS: (Shaking head no.)</p> <p>6 MS. CLARY: Okay. Brian, I am going to</p> <p>7 need a break at some point.</p> <p>8 MR. CATHELL: Let's -- let's take a</p> <p>9 break.</p> <p>10 MS. CLARY: -- so --</p> <p>11 MR. CATHELL: And then -- and then we can</p> <p>12 just pick up where we've left off.</p> <p>13 MS. CLARY: If you want to finish like a</p> <p>14 section, I can wait, but I just do need a bathroom</p> <p>15 break, and I apologize.</p> <p>16 MR. CATHELL: Okay.</p> <p>17 MS. CLARY: Do you want to finish?</p> <p>18 MR. CATHELL: Yeah.</p> <p>19 THE VIDEOGRAPHER: Off the record.</p> <p>20 MS. CLARY: Well, hold on one second just</p> <p>21 while we decide.</p>

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1       MR. CATHELL: Yes, let me finish up just 2 this area.		1 the room? Healthcare providers meaning nurses, 2 aides, --	
3       MS. CLARY: Okay.		3     A. No.	
4 BY MR. CATHELL:		4     Q. -- what have you in the 5 five-to-six-minute period?	
5     Q. So, understanding that it's 6 difficult --		6     A. No.	
7     A. Um-hum.		7     Q. When your husband asked Dr. Akoda what he 8 was doing, and Dr. Akoda allegedly explained why he 9 was doing that, did Dr. Akoda continue to touch you 10 in that way?	
11    A. Um-hum.		11    A. Not as frequently. So, it was like 12 before he just kept -- you know, it was like every 13 few seconds he was doing that, and then once my 14 husband said something, it wasn't -- he still did 15 it, but it was like maybe one or two times after 16 that.	
12    Q. -- but it's a claim that you're making in 13 the case.		17    Q. Did Dr. Akoda say anything to you during 18 that time while he was touching you in that manner?	
14    A. I understand.		19    A. Like telling me to, push, push. He 20 was -- and he was calling me Baby and Momma, which 21 also was uncomfortable.	
15    Q. And so I would ask you to describe for me 16 when you say -- I think you said fiddling with your 17 lady parts. Is there any better description you 18 can give us --			
19    A. He --			
20    Q. -- as to what he was doing?			
21    A. -- he was fingering my clitoris, I			
	Page 67		Page 69
1 guess, --		1     Q. Did he say anything else to you?	
2     Q. Okay.		2     A. No.	
3     A. -- if that makes sense.		3     Q. Did Dr. -- strike that.	
4     Q. And how -- how long was he doing that 5 for?		4     Are you alleging any additional sexual 5 impropriety on behalf of Dr. Akoda, other than what 6 you've described for me?	
6     A. He would do it for like a few seconds, 7 and then stop, and then go back and do it again for 8 a few -- a few seconds, and then stop.		7     A. No.	
9     Q. And --		8     Q. To your knowledge, are there any audio 9 recordings of the statements or video recordings of 10 the acts that you've described?	
10    A. And that lasted for maybe five or six 11 minutes, I guess. I'm just -- I'm just throwing a 12 number out there, before my husband was like, Yo, 13 like, what are you doing, Man? And then that's 14 when he said that he -- my son wasn't coming out, 15 so he had -- that was a way for him to 16 stim- -- stimulate; lubrication I guess. I don't 17 know.		11    A. No.	
18    Q. And present in the room during this time 19 were your husband and your mother?		12    Q. Did you -- did you report Dr. Akoda's 13 behavior to anyone?	
20    A. My mom. Um-hum.		14    A. I didn't.	
21    Q. Were any other healthcare providers in		15    Q. To your knowledge, did your husband or 16 your mother report Dr. Akoda's behavior to anyone?	

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1 described?		1 MS. CLARY: That's okay.
2 A. No.		2 BY MR. CATHELL:
3 Q. Did you contact, you or your husband or		3 Q. And we had talked earlier about time that
4 your mother, to your knowledge, contact any police		4 you had been missing from work?
5 department or law enforcement department regarding		5 A. Yes.
6 the alleged sexual contact?		6 Q. And I wanted to come back to that, and
7 A. No.		7 now that we know, generally, when you started
8 Q. To your knowledge, were there any		8 seeing Dr. Smith, I'd like to try to nail down time
9 additional witnesses to any of the alleged		9 frames, as best we can, as to when you started
10 inappropriate contact, other than those that you've		10 missing work.
11 told me about?		11 A. Okay.
12 A. Not to my knowledge, no.		12 Q. Okay. When -- and I -- I believe you
13 Q. Did any other healthcare provider or		13 told us that you heard the radio advertisement in
14 person that was around at the same time that you		14 either the fall of 2017 or the fall of 2018. Can I
15 and Dr. Akoda were together make any statements		15 assume that because you started seeing Dr. Smith in
16 regarding Dr. Akoda?		16 February of 2018, you would have heard the radio
17 A. No, not that I can recall.		17 advertisement in the fall of 2017?
18 MR. CATHELL: Do you want to take a		18 A. No. I was seeing Dr. Smith before I
19 break?		19 heard the advertisement.
20 MS. CLARY: If you don't mind.		20 Q. Okay. And what caused you to go see
21 THE VIDEOGRAPHER: Stand by. The time is		21 Dr. Smith?
	Page 71	
1 now 11:14, and we are off the record.		1 A. I was -- I was very sad and depressed and
2 (Recess taken -- 11:14 a.m.)		2 anxious and having a hard time working. I was
3 (After recess -- 11:23 a.m.)		3 missing a lot -- starting to miss a lot of time
4 THE VIDEOGRAPHER: The time is now 11:23,		4 from work, and I went to go see her to see if I
5 and we are back on the record.		5 could get treatment and also to see if I can get
6 You lost your microphone. The clip is		6 FMLA to help with the time that I was missing from
7 still there. The mic fell off.		7 work.
8 MS. CLARY: We had a clip problem		8 Q. And how long had you felt depressed,
9 yesterday, and I'm just wondering if he's just		9 anxious, and been missing work prior to seeing her
10 trying to steal a clip.		10 in February of 2018?
11 MR. CATHELL: It's just what I need,		11 A. Maybe like a year.
12 right?		12 Q. So, starting approximately in February
13 MS. CLARY: That's right.		13 2017, you began feeling depressed, anxious, and
14 BY MR. CATHELL:		14 missing time from work?
15 Q. All right. So, we established -- I want		15 A. Yes.
16 to back up just a few topics, Ms. Evans. We		16 Q. And can you describe for us what it was
17 established that you started seeing Dr. Smith in		17 that was making you feel anxious and depressed?
18 February of 2018, correct?		18 A. No. Just every day life. Like any
19 A. Um-hum.		19 things that didn't bother me before, like started
20 MS. CLARY: Yes?		20 bothering me. I started noticing a decline in my
21 THE WITNESS: Yes. Sorry.		21 social interaction with people and not -- just not

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1 wanting to be bothered.	1 out to someone beforehand to discuss what had
2 Q. Do you know what was causing those	2 happened to me. So, it declined significantly.
3 symptoms at that time?	3 Q. And tell me how it declined
4 A. No. No.	4 significantly.
5 Q. Were you working full-time at that time?	5 A. I became more withdrawn, more anxious,
6 A. Yes.	6 and definitely I don't want -- I didn't want to see
7 Q. Was your husband working full time at	7 a doctor after that.
8 that time?	8 Q. And how many days from work did you miss
9 A. Yes.	9 in 2017, given your testimony that in February of
10 Q. And what was happening with --	10 2017 you began feeling depressed, anxious, and
11 MS. CLARY: Peyton?	11 started missing time from work?
12 BY MR. CATHELL:	12 A. I don't know how many days. It was
13 Q. -- Peyton while you both were working	13 enough for me to use my PTO to where my job had to
14 full time?	14 extend an additional ten unpaid days for me.
15 A. Peyton has always stayed home with me. I	15 Q. Now, I assume that was accommodated
16 work from home.	16 without the use of FMLA?
17 Q. Do you currently still work from home?	17 A. Correct.
18 A. I do.	18 Q. In 2018, how many days did you miss from
19 Q. And have you worked from home at all	19 work, if you recall?
20 times since March of 2016?	20 A. I don't know how many days, but I do know
21 A. Yes.	21 that my PTO was just used before the end of the
Page 75	Page 77
1 Q. So, you had been seeing Dr. Smith prior	1 year -- before September.
2 to learning of the allegations surrounding	2 Q. And tell me what happened in September.
3 Dr. Akoda?	3 A. Well, I'm just saying before September it
4 A. Correct.	4 was done. I'm just giving you a timeline of how
5 Q. Had you been prescribed medication by	5 much -- how fast I used it.
6 Dr. Smith prior to learning of the allegations	6 Q. Sure. Did there come a point in time
7 surrounding Dr. Akoda?	7 after you had extinguished your PTO that you needed
8 A. Yes.	8 additional days?
9 Q. Once learning of the allegations	9 A. Um-hum.
10 involving Dr. Akoda, how did your mental health	10 Q. Okay. And --
11 change at all, if it did?	11 MS. CLARY: You have to say yes.
12 A. I want to say it got worse, because I	12 THE WITNESS: Oh, I'm sorry. Yes.
13 started to understand why I was feeling the way	13 BY MR. CATHELL:
14 that I was feeling, and also, I felt stupid	14 Q. And how did your employer accomplish
15 because -- because at first, I didn't know what the	15 that, if they did?
16 allegations were. I just knew that it was	16 A. They -- they don't. They don't. So,
17 Dr. Akoda, and I knew what he had done to me. So,	17 that's -- that's -- they were able to extend me an
18 I was assuming that that's what the allegations	18 additional ten days of unpaid time off.
19 were about.	19 Q. Also in 2018?
20 So, it made me feel -- before contacting	20 A. Um-hum, (Nodding head yes.)
21 them, it made me feel stupid that I didn't reach	21 MS. CLARY: Yes?

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1 BY MR. CATHELL:	1 A. Yes.
2 Q. Okay.	2 Q. And is there a certain amount of time
3 A. Yes. Sorry.	3 that your employer, in complying with FMLA, has
4 MS. CLARY: That's okay. Everybody does	4 ensured you that you can miss per year without
5 it.	5 losing your position or suffering another demerit,
6 THE WITNESS: I'm old. I keep	6 if you will?
7 forgetting.	7 A. No. I have to renew my FMLA every six
8 MS. CLARY: Everybody does it, young and	8 months, and I'm also on ADA.
9 old.	9 Q. And how is that assisting you?
10 BY MR. CATHELL:	10 A. Well, it -- that's how I'm able to work
11 Q. So, in your Answers to Interrogatories,	11 from home, and it assists with my anxiety a lot
12 as well as potentially in the Complaint, I can't	12 being around people.
13 represent that I know the specific part of the	13 Q. Prior to giving birth in March of 2016,
14 Complaint attributed to you, but there's a, a	14 were you working from home?
15 discussion of a lost wages claim. So, that's what	15 A. No.
16 I'm trying to understand is, how much time you're	16 Q. Did you ever work from home prior to
17 missing from work. You're using your PTO and then	17 March of 2016?
18 any accommodations your -- your employer is making,	18 A. No.
19 as well as actual time off --	19 Q. So, following the birth of your
20 A. Um-hum.	20 first -- of your child, Peyton, is when you began
21 Q. -- okay?	21 staying home, correct?
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1 A. Um-hum. Yes.	1 A. Yes.
2 Q. All right. So, you used your PTO in	2 Q. Or working from home?
3 2018. You were then extended ten additional unpaid	3 A. Yes.
4 days in 2018?	4 Q. So, as I understand your testimony, in
5 A. Yes.	5 2018, you're claiming lost wages for approximately
6 Q. Did you miss any time, in addition to	6 25 unpaid days; is that correct?
7 your PTO and those ten unpaid days?	7 A. Yes.
8 A. Yes.	8 Q. And carrying over into 2019, we talked
9 Q. How many days did you miss in addition?	9 earlier that you've used your paid time off?
10 A. I'm going to say an additional 15 days,	10 A. Yes.
11 maybe. I can't really say what for sure, but it's	11 Q. Have you also been extended ten
12 quite often.	12 additional days of unpaid leave?
13 Q. And I assume those days were unpaid?	13 A. No. They don't do that any more.
14 A. Yes.	14 Q. How many days in addition to
15 Q. And as a result of missing that time, has	15 your -- strike that.
16 your employer taken any adverse action regarding	16 How many days over your PTO have you
17 your employment status?	17 taken off in 2019?
18 A. No. That's why I needed to get FMLA.	18 A. What is this, March? Give me a second.
19 Q. And when did you get FMLA?	19 Maybe 24 days. I'm just -- I'm doing an
20 A. February of '18.	20 approximate six days a month times four.
21 Q. February of 2018?	21 Q. Okay. So, it's March --

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1 A. So, three -- so 18.	1 opinion that you cannot work because of your
2 Q. So, if -- are -- the 18 or 24 days, is	2 anxiety?
3 that including the PTO that you told me I think was	3 A. Yes.
4 15 days?	4 Q. Okay. And which healthcare provider was
5 A. Um-hum, (Nodding head yes.)	5 that?
6 MS. CLARY: Yes.	6 A. Dr. Donato.
7 BY MR. CATHELL:	7 Q. And he was your psychologist?
8 Q. Okay.	8 A. Yes.
9 A. Yes.	9 Q. And did he also offer the opinion that
10 THE WITNESS: Sorry.	10 you couldn't work because of your depression?
11 MS. CLARY: That's okay.	11 A. Yes.
12 BY MR. CATHELL:	12 Q. And has he declared that you can't work
13 Q. All right. So, in that scenario,	13 as a result of any other condition?
14 understanding that you're estimating, we would be	14 A. No.
15 talking about three unpaid days to nine unpaid	15 Q. Do you recall what Dr. Akoda looked like?
16 days; is that correct?	16 A. Yeah.
17 A. Yes.	17 Q. Can you just briefly describe his
18 Q. Okay. And what is -- what is causing you	18 appearance for me?
19 to take that time off?	19 A. Tall, African with glasses.
20 A. Sometimes -- sometimes I just can't get	20 Q. Did he speak with an accent, do you know?
21 out of bed; other times I actually get to work and	21 A. Yes.
Page 83	Page 85
1 can't focus on what's going on. Other days I	1 Q. And it's my understanding from your
2 just -- I don't feel well enough to get up. I	2 records that your child was delivered successfully,
3 just -- I'm depressed or my anxiety -- or I'm not	3 and healthy, and without complication; is that
4 sleeping at night, so I can't get up in the	4 correct?
5 morning. And a lot of times if I deal with a	5 A. Yes.
6 person over the phone -- if I deal with a person	6 Q. Did you have any additional interactions
7 over the phone, it can -- in a -- in a negative	7 with Dr. Akoda that we haven't otherwise discussed?
8 way, it affects me emotionally like for the rest of	8 A. No.
9 the day. So, I can't go back to work sometimes.	9 Q. Do you recall when you were admitted to
10 I mean, it really just depends because	10 the OB service at PG County Hospital Center on
11 anything can trigger me feeling sad or depressed or	11 March 16, 2016 that you were --
12 worthless.	12 MS. CLARY: Excuse me.
13 Q. And if you were -- so, because you're	13 BY MR. CATHELL:
14 working from home, I assume when you were talking	14 Q. -- that you executed a consent form?
15 about taking time off, you're calling in saying	15 A. I'm -- I'm assuming. I guess I did sign
16 that you're not available to work that day --	16 it.
17 A. Correct.	17 (Whereupon, Evans Deposition Exhibit 2,
18 Q. -- from home, correct?	18 Consent Form, marked for identification.)
19 A. Correct. Yeah. We're talking about	19 BY MR. CATHELL:
20 going downstairs from my bedroom to my office; yes	20 Q. I'm going to show you what's been marked
21 Q. Has any healthcare provider given you the	21 as Defense Exhibit 2. The first page has the

<p>1 exhibit sticker on it.</p> <p>2 A. Um-hum.</p> <p>3 Q. The second page, I will ask you if you</p> <p>4 can identify the signature, which is on the</p> <p>5 left-hand column towards the bottom, please.</p> <p>6 (Whereupon, there was a pause for</p> <p>7 document examination.)</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. CATHELL:</p> <p>10 Q. Is that your signature on the second</p> <p>11 page?</p> <p>12 A. Yes.</p> <p>13 Q. Also, on the first page, the top</p> <p>14 paragraph, there is a paragraph starting with</p> <p>15 the -- in all capital letters, Physicians Not As</p> <p>16 Employees. Would you agree that those are your</p> <p>17 init- -- your initials at the conclusion of that</p> <p>18 paragraph?</p> <p>19 A. Yes.</p> <p>20 Q. Did you ever see Dr. Moore -- strike</p> <p>21 that.</p>	<p>Page 86</p> <p>1 Center in March of 2016?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And describe that contention for</p> <p>4 me, please.</p> <p>5 A. I wasn't feeling like that beforehand.</p> <p>6 The experience that I had with him left --</p> <p>7 Q. Him being, just so the record is clear?</p> <p>8 A. Him being Dr. Akoda. I'm sorry. The</p> <p>9 experience I had with Dr. Akoda left me feeling</p> <p>10 uncomfortable with any kind of medical professional</p> <p>11 directly after that. I didn't even go for a</p> <p>12 six-week check-up. And me not knowing what to do</p> <p>13 about how I -- how I felt I was treated during the</p> <p>14 delivery of my son with the sexual things that he</p> <p>15 were doing -- he was doing, I didn't know how to</p> <p>16 handle that. I didn't know if it was the right</p> <p>17 thing to do. I don't know if he was supposed to do</p> <p>18 that, so I was going through a lot of stuff while</p> <p>19 trying to raise a newborn just by going through</p> <p>20 that whole -- that whole scenario.</p> <p>21 Q. That whole scenario being?</p>
<p>1 Were you ever seen by Dr. Moore at</p> <p>2 Dr. Moore's private practice?</p> <p>3 A. Yes.</p> <p>4 Q. Was there anything in Dr. Moore's private</p> <p>5 practice that led you to believe he was affiliated</p> <p>6 with the Prince George's County Hospital Center?</p> <p>7 A. At his office, no, but that's what he</p> <p>8 told me.</p> <p>9 Q. That's what Dr. Moore told you?</p> <p>10 A. Yeah. That was the reason that's where</p> <p>11 my delivery was scheduled.</p> <p>12 Q. And what did he tell you?</p> <p>13 A. That that's where he had privileges.</p> <p>14 Q. Is it -- is it your contention that you</p> <p>15 were suffering from depression, anxiety, and the</p> <p>16 sleepless nights prior to learning of the</p> <p>17 Akoda -- the allegations surrounding Dr. Akoda?</p> <p>18 A. Yes.</p> <p>19 Q. Is it your contention that you were</p> <p>20 suffering those things as a result of your</p> <p>21 experience at Prince George's County Hospital</p>	<p>Page 87</p> <p>1 A. The -- the sex -- the way he treated me</p> <p>2 sexually, the way that my son -- like I pushed my</p> <p>3 son out was -- my son -- I was in delivery for 12</p> <p>4 hours before they took me to -- before they took me</p> <p>5 for a C-section, so it was -- it was just a, a very</p> <p>6 long process that was draining, and I didn't leave</p> <p>7 the hospital with the best -- like this was the</p> <p>8 best-day-of-my-life feeling.</p> <p>9 Q. Did you report the -- did you report the</p> <p>10 inappropriate contact by Dr. Akoda to your</p> <p>11 psychiatrist, Dr. Smith, I believe?</p> <p>12 A. Yes.</p> <p>13 Q. Did you report it to Dr. Nnamani?</p> <p>14 A. Yes.</p> <p>15 Q. And did you report it to your</p> <p>16 psychologist, Dr. Donato?</p> <p>17 A. Yes.</p> <p>18 Q. The Answers to Interrogatories we have</p> <p>19 been referencing were received by us in July of</p> <p>20 2018, so presumably you signed them before that</p> <p>21 date, correct?</p>

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1 A. Yes.	1 2016 did not comply with the standard of care?
2 Q. Does that in any way refresh your	2 A. No.
3 recollection as to when you would have first	3 Q. You would agree that when Dr. Akoda came
4 learned of the allegations surrounding Dr. Akoda as	4 in to care for you, you agreed to allow him
5 a result of the radio advertisement you described?	5 to -- to deliver your child and, otherwise, provide
6 A. June or July of '18 or June or July of	6 medical care to you?
7 that year.	7 A. Yes.
8 Q. Is it correct to say that you never	8 Q. Have you researched or learned of any
9 discussed with Dr. Akoda the subject of hospital	9 additional information regarding his privileging
10 privileges?	10 status, other than that which has been provided by
11 A. Is it safe to say that?	11 your attorneys?
12 Q. Yes.	12 A. No.
13 A. Yes. Yeah, I didn't discuss that.	13 Q. Did anything Dr. Akoda do on March 17th,
14 Q. Did you ever ask to see Dr. Akoda's	14 2016 make you feel that he was not medically
15 driver's license?	15 qualified to care for you?
16 A. No.	16 MS. CLARY: Objection. Other than what
17 Q. His passport?	17 she's testified to?
18 A. No.	18 BY MR. CATHELL:
19 Q. Did you ever ask if Dr. Akoda had any	19 Q. Other than what you've testified to?
20 names, other than Dr. Akoda?	20 A. Other than what I've testified to, no.
21 A. No.	21 Q. Did you confront Dr. Akoda directly
Page 91	Page 93
1 Q. Did you see Dr. Akoda interact with staff	1 regarding the alleged inappropriate contact?
2 on any occasions?	2 A. No. My husband did, and I didn't know
3 A. No. Not interaction, no. Just in and	3 how to -- I didn't know what to do about it,
4 out the room preparing to get the room set up for	4 actually.
5 delivery.	5 Q. Did you at any time fire Dr. Akoda?
6 Q. Did you see Dr. Akoda perform or act	6 A. Fire him?
7 inappropriately towards staff at any point?	7 Q. As your physician.
8 A. No.	8 A. He wasn't my physician to fire him.
9 Q. You would agree that your -- the delivery	9 Q. Did you have -- I'm sorry. Go ahead.
10 of Peyton was successful?	10 A. No, I was just saying, he wasn't my
11 A. Yeah, meaning that Peyton is fine, and he	11 physician to fire him.
12 came out fine, but there were -- like I said, I was	12 Q. At any time while Dr. Akoda was caring
13 in labor for several hours before I actually had	13 for you on March 17, 2016, did you ask for another
14 the C-section. So, it was -- it seemed like there	14 physician to render assistance to you?
15 might have been some complications in that process,	15 A. No. I was in labor, sir.
16 because they could have just took me for a	16 Q. These are not judgmental questions.
17 C-section instead of having me push for all that	17 A. Okay.
18 time.	18 Q. I'm just asking questions --
19 Q. Okay. Has -- has anyone given you -- has	19 A. Oh, no.
20 any medical provider or medical expert given you	20 Q. -- that we believe are pertaining to
21 the opinion that Dr. Akoda's actions on March 17,	21 class certification.

	Page 94		Page 96
1 A. No.		1 fact. I started realizing that it wasn't something	
2 Q. We've established that at no time did you		2 that was related to just the natural things of a	
3 report the event to anyone, other than your		3 woman giving birth, if that makes sense.	
4 husband, who was, obviously, witnessing it,		4 Q. I can't pretend to --	
5 correct?		5 A. To know --	
6 A. Correct.		6 Q. -- to know about giving birth and making	
7 Q. Do you know of anyone else accusing		7 sense, but I -- so, you -- the -- the symptoms	
8 Dr. Akoda of sexual impropriety?		8 became apparent to you in February 2017, and it's	
9 A. No.		9 my understanding that you first saw Dr. Smith in	
10 Q. Did any of the advertisements you heard		10 February of 2018?	
11 mention or discuss claims of sexual impropriety		11 A. (Nodding head yes.)	
12 against Dr. Akoda?		12 Q. Between February of 2017 and 2018, what	
13 A. No.		13 were you doing, if anything, to treat those	
14 Q. Are you aware that other -- strike that.		14 symptoms?	
15 Are you aware if other Plaintiffs in this		15 A. Nothing. I didn't have health insurance.	
16 lawsuit are claiming sexual impropriety on the part		16 Q. And when did you get health insurance?	
17 of Dr. Akoda?		17 A. We got health insurance through my	
18 A. I am not.		18 husband's employer around I want to say maybe	
19 Q. Did any of the information you found on		19 October. Because open enrollment is in September,	
20 the Internet as a result of your Internet search		20 so maybe October of '17, maybe.	
21 mention or describe any claims of sexual		21 Q. And have you maintained that health	
	Page 95		Page 97
1 impropriety against Dr. Akoda?		1 insurance since that time?	
2 A. No, sir.		2 A. Well, now we have health insurance	
3 Q. Did you have a life-threatening		3 through my employer, but we've -- we've remained	
4 experience when interacting with Dr. Akoda?		4 having health insurance, not that one, but we do	
5 A. No.		5 have health insurance.	
6 Q. I believe you told me that you first		6 Q. Did you have health insurance at the time	
7 began having symptoms regarding your interaction		7 you gave birth to Peyton?	
8 with Dr. Akoda approximately one year after		8 A. I had Medicaid.	
9 delivery; is that accurate?		9 Q. Had you reached out to Medicaid or to an	
10 A. Yes.		10 individual medical provider in an effort to receive	
11 Q. And that would be approximately February		11 mental health treatment and whether that treatment	
12 2017, correct?		12 would be covered by Medicaid?	
13 A. Correct. Now, that's saying that the		13 A. No. My Medicaid was only covering the	
14 symptoms -- realizing that the symptoms weren't		14 deliver -- the delivery of my son, because I	
15 just regular symptoms from childbirth or being		15 actually made too much money at my job to be	
16 depressed after having a baby, you know, or		16 qualified for regular Medicaid, and then my job's	
17 something like that. Does that change any -- okay.		17 insurance didn't start until after -- after I would	
18 Does that -- okay. I just want to make sure that I		18 have already been out of work. So, I was able to	
19 say that.		19 get emergency Medicaid for that period of time just	
20 I always -- not always, but I felt -- I		20 so I could have delivery. So, I didn't have	
21 didn't just start feeling that way a year after the		21 Medicaid after delivering my son.	

Page 98	Page 100
1 Q. Okay. And upon seeking treatment with 2 Dr. Smith in February of 2018, did you immediately 3 tell Dr. Smith that you had been touched 4 inappropriately by Dr. Akoda?	1 interview with Dr. Fiester? 2 A. No. 3 Q. Where were you when you spoke to 4 Dr. Fiester? 5 A. Home. 6 Q. Was anyone present? 7 A. No.
7 Q. Did you talk with a doctor named 8 Dr. Fiester in this case? 9 A. I did.	8 Q. Was anyone present with you while you 9 were talking to Dr. Fiester? 10 A. No.
10 Q. And do you recall when you talked to 11 Dr. Fiester? 12 A. I don't. I don't know if it was -- I 13 want to say it was between maybe October and 14 December of '18, but I can't be sure.	11 Q. Had you discussed with anyone, other than 12 your attorneys, what to expect during the call with 13 Dr. Fiester? 14 A. No.
15 Q. Okay. 16 MR. CATHELL: One second while I look for 17 that report, please. 18 (Whereupon, there was a pause for 19 document examination.) 20 BY MR. CATHELL: 21 Q. How many times did you talk to	15 Q. Had you been provided any 16 information -- strike that. 17 What did Dr. Fiester ask you or -- or, if 18 you prefer, just describe for me the interview? 19 A. We just talked about anything that might 20 have happened in my past, things that are going on 21 now, and what I felt -- how I felt about Dr. Akoda.
Page 99	Page 101
1 Dr. Fiester? 2 A. One time. 3 Q. And did you meet with Dr. Fiester in 4 person? 5 A. No. 6 Q. How did you talk with Dr. Fiester? Was 7 that over the telephone, -- 8 A. Yes. 9 Q. -- or was that by video conference? 10 A. It was over the telephone. 11 Q. Have you met Dr. Fiester at any time? 12 A. No. 13 Q. And do you recall how long the interview 14 with Dr. Fiester lasted? 15 A. More than an hour. 16 Q. More than an hour? 17 A. (Nodding head yes.) Maybe an hour. 18 Q. And were you asked to prepare anything 19 prior to the interview with Dr. Fiester? 20 A. No. 21 Q. Did you take any notes during the	1 Q. And describe for me what you discussed 2 about things that occurred in the past. 3 A. There were no trauma in my past. Nothing 4 to talk about, really. 5 Q. Okay. You also mentioned that you 6 discussed things going on now. Can you describe 7 that for me? 8 A. Um-hum. Like -- like work, every day 9 life, being a mom. You know, just normal -- you 10 know, just how my life is on an everyday basis. 11 Q. And you also said that you talked about 12 the things going on with Dr. Akoda? 13 A. Um-hum. 14 Q. What did you discuss in that regard? 15 A. She asked me to explain to her exactly 16 what happened and how I felt about it, and I did 17 the same as I did with you just now. 18 Q. Did you share with her any additional 19 information that we have not discussed today? 20 A. No. 21 Q. And did Dr. Fiester make any treatment

Page 102	Page 104
1 recommendations for you?	1 Q. Other than the recommendation of EIMED
2 A. She said that I should have some kind of	2 therapy for the PTSD, did she make any other
3 therapy, but I forget what the name of it was.	3 treatment recommendations?
4 Q. Had you shared with her that you had been	4 A. No.
5 receiving therapy by Dr. Donato?	5 Q. Did she at any time refer you to anyone
6 A. Yes. It was a specific kind of therapy.	6 else for treatment?
7 EMI, EMD. I haven't found anyone who specializes	7 A. No.
8 in that yet.	8 Q. Just to be clear for the record, did
9 Q. Can you say that again, please?	9 Dr. Fiester diagnose you with depression?
10 A. It was EMI or EMD or something to that	10 A. No.
11 effect. I can't remember the initials.	11 Q. Or anxiety?
12 Q. And do you have an understanding as to	12 A. No.
13 what that specific treatment is designed to treat?	13 Q. Or PTSD?
14 A. It's-- I think it's a mechanism -- it	14 A. No.
15 helps to deal with PTSD, I believe, and anxiety.	15 Q. Have you read the Complaint in this
16 Q. Have you been working with Drs. Donato	16 matter?
17 and Nnamani regarding your PTSD?	17 A. Yes.
18 A. Yes.	18 Q. Okay. And do you know what the Complaint
19 Q. And we talked about Dr. Smith's diagnoses	19 is in a lawsuit?
20 of depression and anxiety. When were you first	20 A. Yes.
21 diagnosed with PTSD?	21 Q. And when did you first review the
Page 103	Page 105
1 A. Through Dr. Donato.	1 Complaint?
2 Q. And when did Dr. Donato first diagnose	2 A. I don't recall when I first reviewed it.
3 you with that?	3 Q. Did you review it prior to it being
4 A. During our first visit.	4 filed?
5 Q. Which I understand to be, I	5 A. I don't know when it was filed.
6 believe, October of 2018; is that correct?	6 Q. Okay.
7 A. That's when I -- no. I saw Donato in the	7 MR. CATHELL: Do you have that?
8 summer of '18. I saw Dr. Nnamani in October of	8 MS. CLARY: The Complaint?
9 '18.	9 MR. CATHELL: Yeah.
10 Q. Other than Dr. Donato, did Dr. Smith or	10 MS. CLARY: I have the Complaint. I'm
11 Nnamani ever diagnose you with PTSD?	11 not sure she would know -- well --
12 A. No. I only saw Dr. Smith once	12 MR. CATHELL: I don't think I'm really
13 face-to-face, and after that, it was phone	13 going to follow up, but can I see just it?
14 interviews. And Dr. Nnamani was -- didn't do any	14 MS. CLARY: Yeah. Sure. It looks like
15 additional diagnosis.	15 there's the date stamp.
16 Q. Did Dr. Fiester diagnose you with	16 (Document tendered.)
17 anything?	17 MR. CATHELL: Yeah.
18 A. No.	18 (Whereupon, there was a pause for
19 Q. Do you consider Dr. Fiester to be your	19 document examination.)
20 doctor?	20 BY MR. CATHELL:
21 A. No.	21 Q. I believe your response was that you

Page 106	Page 108
1 don't know whether you reviewed it --	1 been filed in court in this case, other than
2 A. Correct.	2 the -- the Complaint that we've already discussed?
3 Q. -- prior to it being filed, correct?	3 A. No.
4 A. Um-hum.	4 Q. Have you gone to any of the court
5 MS. CLARY: Yes?	5 hearings in this case?
6 THE WITNESS: Yes.	6 A. No.
7 BY MR. CATHELL:	7 Q. And why not?
8 Q. How many times have you reviewed the	8 A. I didn't know I needed to be at them.
9 Complaint?	9 Q. Do you plan on going to future court
10 A. Twice.	10 hearings in this case?
11 Q. If you'll give your attorney a second to	11 A. If requested by my attorney.
12 object, please. Did you meet with your attorneys	12 Q. Will you be attending the hearing on
13 before the Complaint was filed?	13 class certification?
14 MS. CLARY: Objection, and I'm going to	14 A. If -- if I need to be there.
15 instruct you not to answer in that it's protected	15 Q. Do you know what class certification is?
16 by the attorney/client privilege and work product	16 A. Yes.
17 doctrine.	17 Q. Please tell me what your understanding
18 MR. CATHELL: And note our response from	18 is.
19 prior depositions.	19 A. It's a, a lot of people with one issue, I
20 MS. CLARY: Sure.	20 guess, under one lawsuit instead of it all being
21 BY MR. CATHELL:	21 individual ones.
Page 107	Page 109
1 Q. I would ask you a series of questions,	1 Q. Do you know what causes of action are
2 for the record, regarding your interactions with	2 being asserted in the Complaint?
3 your counsel, how many times you have met with them	3 A. No.
4 in preparing the Complaint, in participation in	4 Q. Do you know what damages the Complaint is
5 preparing the Complaint, your general input in	5 seeking?
6 preparing the Complaint, as well as the -- the	6 A. No.
7 contact you've had with them regarding this class	7 Q. Do you know the names of the Defendants
8 certification process.	8 that you are suing in this case?
9 It's my understanding your attorney is	9 A. Dimensions Health Corp.
10 going to object to those questions. I just want to	10 Q. Anyone else?
11 make sure the record is clear that I would ask	11 A. No.
12 them, that we take exception to the objection to	12 Q. Is Dr. Akoda a defendant in this lawsuit?
13 the extent we think they're relevant for class	13 A. No.
14 certification, and so I will move on.	14 Q. I asked if you had been in contact with
15 MS. CLARY: Fair enough. I do object. I	15 any of the other Plaintiffs, and you said, no. I
16 note your exception.	16 assume you haven't met with any of the other
17 BY MR. CATHELL:	17 Plaintiffs?
18 Q. Have you been in contact with any of the	18 A. Correct. No.
19 other class Plaintiffs?	19 Q. Do you know the names of any other
20 A. No.	20 Plaintiff?
21 Q. Have you read any of the papers that have	21 A. I do not.

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1 Q. Are you aware that the Complaint is 2 asking the court to certify this case as a class 3 action? 4 A. Yes. 5 Q. And do you know how many proposed class 6 members there are? 7 A. I do not. 8 Q. Do you know which law firms represent the 9 proposed class members? 10 A. No. 11 Q. Do you know whether each member of the 12 proposed class is asserting the same claims as you 13 in the case? 14 A. No. 15 Q. Have you tried to learn about the claims 16 of the other proposed class members? 17 A. No, sir. 18 Q. Have you determined whether your claims 19 are different than yours in any way? 20 A. No, sir. 21 Q. Do you know whether each member of the	1 interviewed, if you know? 2 A. I don't know. It's a lot of people, I 3 guess. I don't know. I'm assuming class action 4 means a lot of people, and that's a lot of 5 interviews. I'm not sure. 6 Q. Do you know if there was a mediation in 7 this case? And if you don't understand what a 8 mediation is, I'm happy to rephrase the question. 9 A. Yes. Yes, I'm aware. 10 Q. Okay. 11 MS. CLARY: She did a good job there, 12 didn't she? 13 MR. CATHELL: Ready for law school. 14 BY MR. CATHELL: 15 Q. Do you know what occurred at the 16 mediation? 17 A. Yes. 18 Q. And tell me your understanding of what 19 occurred, absent discussions with your attorneys. 20 A. That there was a settlement offered and 21 rejected.
1 proposed class is seeking the same damages as you 2 are in this case? 3 A. I do not. 4 Q. Are you aware that you've been designated 5 as a class representative in this lawsuit? 6 A. Yes. 7 Q. And do you know what it means to be a 8 class representative in a class action? 9 A. Yes. 10 Q. Please describe your understanding for 11 me. 12 A. My understanding is that I am -- my case 13 is just an example of the overall cases to 14 represent everyone else. 15 Q. And what is your role as a class 16 representative? 17 A. Just to represent or to -- yeah, to give 18 the correct information to help represent everyone 19 else that's -- that can't be interviewed, I'm 20 assuming. I don't know. 21 Q. And why would they not be able to be	1 Q. Okay. Do you -- how much was the 2 settlement offer, do you know? 3 A. \$1,000. 4 Q. \$1,000 per Plaintiff, correct? 5 A. Per Plaintiff. 6 Q. Prior to the mediation, what involvement 7 did you have in determining what dollar amount 8 recovery would be acceptable to you and/or a 9 potential class? 10 MS. CLARY: I'm going to object and 11 instruct her not to answer. That's protected by 12 both the attorney/client privilege and the work 13 product doctrine. 14 MR. CATHELL: Note our response for the 15 record, please. 16 BY MR. CATHELL: 17 Q. Do you know whether you are responsible 18 for paying any of the costs or expenses for this 19 litigation? 20 MS. CLARY: Same objection, and I am -- I 21 am instructing her not to answer that question.

1 BY MR. CATHELL:  2 Q. Did you sign a retainer agreement with 3 the Schochor law firm?  4 MS. CLARY: I'm also going to object.  5 You can answer yes or no as to whether you signed 6 an agreement, a retainer with us.  7 THE WITNESS: No -- yes. I don't know 8 what -- I don't, because what is --  9 BY MR. CATHELL:  10 Q. Just a yes or no. Because I don't want 11 you to start --  12 A. Okay.  13 Q. She objected, --  14 A. Okay.  15 Q. -- and I don't want you to talk about you 16 things that --  17 A. Okay. So -- oh.  18 Q. She objected. If you don't know, it's 19 okay. I -- I don't want you to explain and say 20 things that she objected to --  21 A. I don't know.	Page 114  1 A. (Nodding head yes.) 2 Q. I would ask you questions -- additional 3 questions about the retainer agreement. Counsel 4 has objected to those in prior depositions, and 5 we've noted our responses for the record. 6 MS. CLARY: Agreed. 7 BY MR. CATHELL: 8 Q. Have you seen any documents that were 9 produced by the Defendants in this case? 10 A. No. 11 MS. CLARY: Oh, I heard that. 12 THE WITNESS: That's that 40 kicking in, 13 ma'am. 14 BY MR. CATHELL: 15 Q. Do you know whether Dr. Akoda is a 16 Defendant in any other pending lawsuit? 17 A. I do not know, sir. 18 Q. Are you part of a class action lawsuit in 19 the United States Federal District Court in 20 Philadelphia against ECFMG regarding their 21 certification of Dr. Akoda?
Page 115  1 Q. -- out of fairness to her. 2 A. I don't know. 3 Q. Okay.  4 MS. CLARY: I can certainly proffer, if 5 you would like me to, that we do have a signed 6 agreement of retainer from Mrs. Evans, --  7 MR. CATHELL: Thank you.  8 MS. CLARY: -- but I'm going to object to 9 providing it.  10 MR. CATHELL: Sure.  11 THE WITNESS: Okay.  12 BY MR. CATHELL:  13 Q. We would -- we would request production 14 of the retainer agreement. That's something that 15 would be effected through your counsel. They're 16 objecting to it, and it's an issue that will be 17 taken up with the court. But I'm simply telling 18 you that, to put you on notice that if the court 19 were to decide that we could prevail, that we would 20 be able to obtain a copy of your retainer 21 agreement, okay?	Page 117  1 A. I am. 2 Q. Are you a class Plaintiff in that as 3 well? 4 A. Yes. 5 Q. Have you given a deposition in that case? 6 A. No. 7 Q. What is your understanding as to the 8 allegations in that lawsuit? 9 A. That they didn't do proper 10 cre- -- credentialing. 11 Q. Based on your status as a class Plaintiff 12 in that lawsuit, do you have an understanding of 13 ECFMG's role in certifying Dr. Akoda? 14 A. Yes. 15 Q. And what is your understanding? 16 A. That they have the obligation to make 17 sure that all of his documents are correct and that 18 he who -- he is who he says he is. 19 Q. And do you know how ECFMG does its 20 certification? 21 A. I do not.

<p style="text-align: right;">Page 118</p> <p>1 Q. Are you aware of the background checks 2 that ECFMG conducts?</p> <p>3 A. No, sir.</p> <p>4 Q. Earlier I was asking you questions about 5 radio advertisements, TV advertisements, and your 6 Internet search, and I probably should have phrased 7 this question as to include media coverage and not 8 just advertisements.</p> <p>9 So, you told me that you didn't observe 10 any television advertisements, but have you at any 11 time observed television coverage regarding the 12 allegations against Dr. Akoda?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And what was that? What were 15 those -- what was that coverage that you observed?</p> <p>16 A. I don't know what news it was, but it was 17 on the news about Dr. Akoda. I believe it said he 18 wasn't a doctor.</p> <p>19 Q. Anything else that you recall?</p> <p>20 A. No.</p> <p>21 Q. And the same for your Internet search,</p>	<p style="text-align: right;">Page 120</p> <p>1 she could deliver your baby safe and healthy, 2 correct?</p> <p>3 A. When choosing one, yes.</p> <p>4 Q. You did not care if your OB/GYN was a man 5 or a woman?</p> <p>6 A. No.</p> <p>7 Q. You didn't care about the OB/GYN's race?</p> <p>8 A. No.</p> <p>9 Q. Or nationality?</p> <p>10 A. No.</p> <p>11 Q. And you did not care about the exact 12 location of the physician, beyond he or she being 13 local to the area, correct?</p> <p>14 A. Correct.</p> <p>15 Q. You agree that you did not care about the 16 OB/GYN's name alone?</p> <p>17 A. No.</p> <p>18 Q. In other words, would you have not 19 selected an OB/GYN based upon that OB/GYN's 20 specific name?</p> <p>21 A. No. No.</p>
<p style="text-align: right;">Page 119</p> <p>1 were there -- was there information you learned 2 through the Internet that was not an advertisement 3 regarding Dr. -- the allegations surrounding 4 Dr. Akoda?</p> <p>5 A. No.</p> <p>6 Q. Is that the same with the radio as well?</p> <p>7 A. Yes.</p> <p>8 Q. Did you participate in any interview with 9 any media person or organization about your 10 involvement with Dr. Akoda?</p> <p>11 A. No.</p> <p>12 Q. Did you go on The Dr. Oz Show?</p> <p>13 A. No.</p> <p>14 Q. Were you contacted to go on The Dr. Oz 15 Show?</p> <p>16 A. No.</p> <p>17 Q. Is it fair to say that when choosing your 18 OB/GYN, you selected based upon the skill set of 19 the physician?</p> <p>20 A. Yes.</p> <p>21 Q. And I assume your concern was that he or</p>	<p style="text-align: right;">Page 121</p> <p>1 Q. And you've agreed earlier in the 2 deposition, I believe, that Dr. Akoda delivered 3 your baby safe and healthy, correct?</p> <p>4 A. Yes.</p> <p>5 Q. We've established that you have one 6 child. How many pregnancies have you had?</p> <p>7 A. Two.</p> <p>8 Q. Okay. And when was the second pregnancy?</p> <p>9 A. That was the second pregnancy.</p> <p>10 Q. When was the first pregnancy?</p> <p>11 A. Maybe a year and a half prior.</p> <p>12 Q. And I apologize, but what -- what -- what 13 did that pregnancy result in?</p> <p>14 A. A miscarriage.</p> <p>15 Q. And were you under the care of an OB/GYN 16 during that pregnancy?</p> <p>17 A. No. I had a miscarriage early in the 18 pregnancy.</p> <p>19 MR. CATHELL: I believe we're finished.</p> <p>20 If I could just look at my notes, please.</p> <p>21 THE WITNESS: Yes, sir.</p>

<p style="text-align: right;">Page 122</p> <p>1       THE VIDEOGRAPHER: Do you want to stay on 2 the record?</p> <p>3       MS. CLARY: I have just one follow-up 4 question.</p> <p>5       MR. CATHELL: Okay.</p> <p>6       MS. CLARY: Why don't I do that while you 7 look at your notes, if you don't mind.</p> <p>8       MR. CATHELL: Go ahead.</p> <p>9           CROSS-EXAMINATION</p> <p>10          BY MS. CLARY:</p> <p>11       Q. I apologize if -- if you've covered this 12 already, but going back to how you were feeling 13 emotionally after the delivery of your son and 14 after the time in which you sought care, can you 15 help us understand whether you had a worsening of 16 how you were feeling after you found out that 17 Dr. Akoda was not who he said he was?</p> <p>18       A. Yes.</p> <p>19       Q. Can you describe for us how things got 20 worse for you --</p> <p>21       A. Um-hum.</p>	<p style="text-align: right;">Page 124</p> <p>1       I don't know.</p> <p>2       MS. CLARY: Thank you.</p> <p>3           REDIRECT EXAMINATION</p> <p>4           BY MR. CATHELL:</p> <p>5       Q. Just in following up with that. What -- 6 one thing that we -- I was trying to explore --</p> <p>7       A. Um-hum.</p> <p>8       Q. -- is you just -- you just said in 9 response to your counsel that your condition 10 worsened when you realized that his contact with 11 you wasn't the case, meaning -- I think you were 12 meaning that you realized that the contact he had 13 with you, you realized may have been inappropriate; 14 is that fair?</p> <p>15       A. Correct.</p> <p>16       Q. And my questions earlier were designed to 17 try to determine when you learned or figured out or 18 understood that his contact with you may have been 19 inappropriate, and it's my understanding that the 20 radio advertisements you heard did not discuss any 21 type of substance of the allegations regarding</p>
<p style="text-align: right;">Page 123</p> <p>1       Q. -- at that point in time?</p> <p>2       A. Yeah. So, after that, as I mentioned, I 3 definitely didn't want to see a doctor after that. 4 I already didn't want to see a doctor anyway 5 because of how I felt he was inappropriate with me, 6 but wasn't sure if that was really the process of 7 having a baby. I never had a baby before, 8 so -- and his explanation seemed like it was valid. 9 You know, this is what I need to do in order for 10 the baby to come out, you know.</p> <p>11       So, realizing that that wasn't the case 12 and that I didn't say anything was extremely -- 13 that's -- I think that's the one thing that made it 14 worse to me, was that I didn't say anything 15 beforehand. I didn't do anything beforehand.</p> <p>16       So, it made me feel -- I don't know the 17 word to use. I -- I started feeling more 18 worthless. Like I couldn't even stand up for 19 myself at that point, so that's how it got worse 20 for me, not being able to stand up for myself and 21 not being able to see a doctor at all because you</p>	<p style="text-align: right;">Page 125</p> <p>1       Dr. Akoda, correct?</p> <p>2       A. Correct.</p> <p>3       Q. And the Internet articles that you read 4 did not include any of the substance against 5 Dr. Akoda, except that I think you told me they 6 suggested he may be a fraudulent doctor; is that 7 fair?</p> <p>8       A. That's correct.</p> <p>9       Q. Was there anything, outside of what you 10 learned from your attorney, that caused you to 11 believe that Dr. Akoda's contact with you was 12 inappropriate?</p> <p>13       MS. CLARY: Objection to the extent I 14 think she's covered that, but you can go ahead 15 again.</p> <p>16       THE WITNESS: Well, first, I always felt 17 it was inappropriate because of the way it made me 18 feel; however, me not being a medical professional 19 or never having a baby before, I didn't know if 20 what he was doing was actually a valid thing that 21 you do when someone is giving birth to stimulate</p>

<p>1 delivery.</p> <p>2 So, after I think I spoke to my cousin, 3 who's a doctor, I spoke to my mom, and I spoke to 4 my husband, and they let me know that my feelings 5 were valid, and no, he wasn't supposed to do that, 6 and you are one hundred percent okay with feeling 7 the way that you feel.</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. And when did you have those conversations 10 with your cousin, your doctor -- I'm sorry, your 11 cousin, your husband, and your mother?</p> <p>12 A. Well, my husband and my mom immediately 13 after. You know, like, you know, maybe a week or 14 so after going through the process of bringing the 15 baby home and all of that, and probably my cousin, 16 maybe a few weeks after that.</p> <p>17 Q. And so it was during those conversations 18 that you came to the understanding that the contact 19 Dr. Akoda made with you, that you've described for 20 me earlier, was inappropriate?</p> <p>21 A. Correct. I have validation that it was</p>	<p>Page 126</p> <p>1 Ms. Evans, that we haven't, otherwise, discussed 2 today?</p> <p>3 A. No, sir.</p> <p>4 Q. You were discharged three days following 5 the birth of Peyton, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And it seems to me that your medical 8 records suggest that you were discharged to recover 9 without complication?</p> <p>10 A. Yes.</p> <p>11 MR. CATHELL: That's all I have. Thank 12 you very much.</p> <p>13 THE WITNESS: Thank you.</p> <p>14 MS. CLARY: She'll read and sign. You're 15 all done.</p> <p>16 THE VIDEOGRAPHER: All right. Stand by.</p> <p>17 This concludes today's video-recorded 18 deposition of Desire Evans. The time is now 12:27, 19 and we are off the record.</p> <p>20 (Deposition concluded at 12:27 p.m.)</p> <p>21</p>
<p>1 inappropriate, because I always believed that it 2 was.</p> <p>3 Q. And did you share with your -- you said 4 your cousin is a doctor?</p> <p>5 A. Yes.</p> <p>6 Q. Did you share with your doctor or 7 your -- I'm sorry. Strike all of that.</p> <p>8 Did you share with your cousin the 9 specifics of the alleged sexual impropriety against 10 Dr. Akoda?</p> <p>11 A. By me, yes.</p> <p>12 Q. And what's your cousin's name?</p> <p>13 A. Tyrell Newton, M.D.</p> <p>14 Q. And is Dr. Newton a doctor in Maryland?</p> <p>15 A. No.</p> <p>16 Q. And where does he live or practice?</p> <p>17 A. North -- Florida. Jacksonville, Florida.</p> <p>18 Q. To your knowledge, did Dr. Newton report 19 to anyone the alleged sexual contact?</p> <p>20 A. No.</p> <p>21 Q. Are there any claims that you are making,</p>	<p>Page 127</p> <p>1 Russell, et al. v. Dimensions Health Corp., et al 2 Desire N. Evans</p> <p>3 INSTRUCTIONS TO THE WITNESS</p> <p>4 Please read your deposition over 5 carefully and make any necessary corrections. You 6 should state the reason in the appropriate space on 7 the errata sheet for any corrections that are made.</p> <p>8 After doing so, please sign the errata 9 sheet and date it.</p> <p>10 You are signing same subject to the 11 changes you have noted on the errata sheet, what 12 will be attached to the deposition.</p> <p>13 It is imperative that you return the 14 original errata sheet to the deposing attorney 15 thirty (30) days of receipt of the deposition 16 transcript by you. If you fail to do so, the 17 deposition transcript may be deemed to be accurate 18 and may be used in court.</p> <p>19</p> <p>20</p> <p>21</p>

<p style="text-align: right;">Page 130</p> <p>1 Russell, et al. v. Dimensions Health Corp., et al.</p> <p>2 Desire N. Evans</p> <p>3 ERRATA</p> <p>4 PAGE LINE CHANGE</p> <p>5 --- -----</p> <p>6 Reason: _____</p> <p>7 --- -----</p> <p>8 Reason: _____</p> <p>9 --- -----</p> <p>10 Reason: _____</p> <p>11 --- -----</p> <p>12 Reason: _____</p> <p>13 --- -----</p> <p>14 Reason: _____</p> <p>15 --- -----</p> <p>16 Reason: _____</p> <p>17 --- -----</p> <p>18 Reason: _____</p> <p>19 --- -----</p> <p>20 Reason: _____</p> <p>21 Job #3269942</p>	<p style="text-align: right;">Page 132</p> <p>1 State of Maryland</p> <p>2 County of Baltimore, to wit:</p> <p>3 I, Michele D. Lambie, a Notary Public of</p> <p>4 the State of Maryland, County of Baltimore, do</p> <p>5 hereby certify that the within-named witness</p> <p>6 personally appeared before me at the time and place</p> <p>7 herein set out, and after having been duly sworn by</p> <p>8 me, according to law, was examined by counsel.</p> <p>9 I further certify that the examination</p> <p>10 was recorded stenographically by me and this</p> <p>11 transcript is a true record of the proceedings.</p> <p>12 I further certify that I am not of</p> <p>13 counsel to any of the parties, nor related to any</p> <p>14 of the parties, nor in any way interested in the</p> <p>15 outcome of this action.</p> <p>16 As witness my hand this 11th day of April, 2019.</p> <p>17</p> <p>18  Michele D. Lambie</p> <p>19</p> <p>20</p> <p>21 My Commission Expires: April 29, 2020</p>
<p style="text-align: right;">Page 131</p> <p>1 Russell, et al. v. Dimensions Health Corp., et al</p> <p>2 Desire N. Evans</p> <p>3 ACKNOWLEDGMENT OF DEPONENT</p> <p>4 I, DESIRE N. EVANS, do hereby certify</p> <p>5 that I have read the foregoing pages and that the</p> <p>6 same is a correct transcription of the answers</p> <p>7 given by me to the questions therein propounded,</p> <p>8 except for the corrections or changes in form or</p> <p>9 substance, if any, noted in the attached errata</p> <p>10 sheet.</p> <p>11 _____</p> <p>12 DATE SIGNATURE</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 Job #3269942</p>	